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ONTARIO

# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD AT TORONTO IN THE

### Fourteenth and Fifteenth Years of the Reign of Her Majesty QUEEN ELIZABETH II

Being the Fourth Session of the Twenty-Seventh  
Legislature of Ontario

CONVENED ON THE 25<sup>TH</sup> DAY OF JANUARY, 1966, AND  
PROROGUED ON THE 8<sup>TH</sup> DAY OF JULY, 1966

---

HIS HONOUR WILLIAM EARL ROWE  
LIEUTENANT GOVERNOR

---

TORONTO  
PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER  
1966







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PART I  
PUBLIC ACTS

Chapters 1 to 161







# 14-15 ELIZABETH II

## CHAPTER 1

### An Act respecting Abandoned Orchards

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Interpre-  
tation

- (a) “abandoned orchard” means an orchard,
  - (i) the fruit of which has not been produced for sale for human consumption for two consecutive growing seasons, and
  - (ii) that has been designated by a certificate of the Provincial Entomologist as a neglected orchard;
- (b) “Director” means the Director appointed under this Act;
- (c) “fruit tree disease” means any disease or injury of a fruit tree that is caused by an insect, virus, fungus, bacterium or other organism;
- (d) “fruit trees” means,
  - (i) apple trees,
  - (ii) cherry trees,
  - (iii) grape vines,
  - (iv) peach trees,
  - (v) pear trees,
  - (vi) plum trees, and
  - (vii) such other fruit-producing trees, shrubs or vines as are designated in the regulations;

- (e) "inspector" means an inspector appointed under this Act;
- (f) "orchard" means an area of land of at least one-half acre on which there are at least thirteen fruit trees and on which the number of fruit trees bears a proportion to the area of at least twenty-six fruit trees per acre;
- (g) "owner" means the person shown as the owner of the property on the last revised assessment roll of the municipality in which the property is located;
- (h) "Provincial Entomologist" means the Provincial Entomologist for Orchards appointed under this Act;
- (i) "regulations" means the regulations made under this Act.

**Application** (2) This Act applies only to orchards any part of which is closer than 300 yards to an orchard that is used for the commercial production of fruit and that does not come within the application of section 4.

**Administration of Act** **2.** The Lieutenant Governor in Council may appoint a Director to administer this Act, and may appoint a Provincial Entomologist for Orchards and one or more inspectors who shall carry out such duties as are assigned to them by this Act or the regulations or by the Director.

**Inspection** **3.—**(1) An inspector or the Provincial Entomologist may, between sunrise and sunset, for the purpose of making an inspection, enter any orchard or any premises in which he has reason to believe there is an orchard.

**Idem** (2) No person shall hinder or obstruct an inspector or the Provincial Entomologist in the course of his duties or furnish him with false information or refuse to furnish him with information.

**Designation of neglected orchards** **4.—**(1) Where, on the basis of his own inspection or on the basis of a report from an inspector, the Provincial Entomologist is of the opinion that a majority of the fruit trees in an orchard,

- (a) are infected with any fruit tree disease;
- (b) are affected by such other conditions as are designated in the regulations;

(c)



- (c) have not been properly pruned, sprayed or treated with chemicals; or
- (d) have not otherwise been properly maintained,

so as to seriously affect at that time the ability of the fruit trees in the orchard to produce fruit commercially, he may designate the orchard, by a certificate, as a neglected orchard.

- (2) Every certificate shall be served,

Service of  
certificate

- (a) upon the owner by personal service or by mailing a copy of the certificate by prepaid mail addressed to the owner at his address shown on the last revised assessment roll; and
- (b) after effecting service under clause *a*, by posting a copy of the certificate in a conspicuous place in the orchard to which the certificate applies.

**5.** The Provincial Entomologist may, at any time, revoke a certificate made under section 4.

Revocation  
of  
certificate

**6.—**(1) Where the owner of or any person having an interest in an orchard deems himself aggrieved by a certificate of the Provincial Entomologist designating the orchard as a neglected orchard under section 4, he may appeal against the certificate by delivering a notice of appeal to the Provincial Entomologist within fifteen days after service of the certificate under clause *b* of subsection 2 of section 4.

Appeal

(2) Upon receipt of a notice of appeal, the Provincial Entomologist shall, after a hearing, confirm or revoke the certificate appealed against and shall notify the appellant of his decision by prepaid mail.

Idem

**7.** Every person who is the owner of an abandoned orchard shall destroy,

Destruction  
of  
abandoned  
orchards

- (a) all fruit trees in the orchard; and
- (b) such other trees, shrubs or vines, present in the orchard, as are designated in the regulations.

**8.—**(1) Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not more than \$100.

Penalty

(2) A person who is convicted of a contravention of section 7 is liable on summary conviction to a further fine of \$25 for each day the contravention continues after conviction.

Regulations **9.** The Lieutenant Governor in Council may make regulations,

- (a) respecting the issuance and revocation of certificates;
- (b) prescribing the duties of the Director, the Provincial Entomologist and inspectors;
- (c) designating fruit-producing trees, shrubs or vines as fruit trees for the purpose of clause *d* of subsection 1 of section 1;
- (d) designating conditions affecting fruit trees for the purposes of section 4;
- (e) designating trees, shrubs or vines for the purposes of section 7;
- (f) prescribing forms and providing for their use;
- (g) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Commence-  
ment **10.** This Act comes into force on the day it receives Royal Assent.

Short title **11.** This Act may be cited as *The Abandoned Orchards Act, 1966*.

## CHAPTER 2

## An Act to amend The Accumulations Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 1 of *The Accumulations Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 4, s. 1,  
subs. 1,  
re-enacted

- (1) No disposition of any real or personal property shall direct the income thereof to be wholly or partially accumulated for any longer than one of the following terms:

Maximum  
accumula-  
tion  
periods

1. The life of the grantor.
2. Twenty-one years from the date of making an *inter vivos* disposition.
3. The duration of the minority or respective minorities of any person or persons living or *en ventre sa mere* at the date of making an *inter vivos* disposition.
4. Twenty-one years from the death of the grantor, settlor or testator.
5. The duration of the minority or respective minorities of any person or persons living or *en ventre sa mere* at the death of the grantor, settlor or testator.
6. The duration of the minority or respective minorities of any person or persons who, under the instrument directing the accumulations, would, for the time being, if of full age, be entitled to the income directed to be accumulated.

Application  
of subs. 1  
restrictions

(1a) The restrictions imposed by subsection 1 apply in relation to a power to accumulate income whether or not there is a duty to exercise that power, and such restrictions also apply whether or not the power to accumulate extends to income produced by the investment of income previously accumulated.

Idem

(1b) The restrictions imposed by subsection 1 apply to every disposition of real or personal property, whether heretofore or hereafter made.

Previous  
acts, etc.,  
not affected

(2) Nothing in subsection 1 affects,

(a) the validity of any act done; or

(b) any right acquired or obligation incurred,

R.S.O. 1960, c. 4, under *The Accumulations Act* before this Act came into force.

R.S.O. 1960, c. 4, amended **2.** *The Accumulations Act* is amended by adding thereto the following section:

Rules as  
to accumu-  
lations not  
applicable  
to employee  
benefit  
trusts

3. The rules of law and statutory enactments relating to accumulations do not apply and shall be deemed never to have applied to the trusts of a plan, trust or fund established for the purpose of providing pensions, retirement allowances, annuities, or sickness, death or other benefits to employees or to their widows, dependants or other beneficiaries.

Short title

**3.** This Act may be cited as *The Accumulations Amendment Act, 1966*.



## CHAPTER 3

**An Act to prevent  
Discrimination in Employment Because of Age**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "age" means any age of forty years or more and less than sixty-five years;
- (b) "Commission" means the Ontario Human Rights Commission;
- (c) "employers' organization" means an organization of employers formed for purposes that include the regulation of relations between employers and employees;
- (d) "Minister" means the Minister of Labour or such other member of the Executive Council to whom this Act is assigned by the Lieutenant Governor in Council;
- (e) "person", in addition to the extended meaning given it by *The Interpretation Act*, includes an employment <sup>R.S.O. 1960,</sup> agency, an employers' organization and a trade <sup>c. 191</sup> union;
- (f) "trade union" means an organization of employees formed for purposes that include the regulation of relations between employees and employers.

**2.—(1) This Act shall be administered by the Commission.** <sup>Administra-  
tion of Act</sup>

(2) The Commission is responsible to the Minister for its <sup>Idem</sup> administration of this Act.

Exemptions  
from Act

**3.** Subject to the approval of the Lieutenant Governor in Council, the Commission may exempt designated occupations from this Act or any provision thereof.

Application  
of Act

**4.** Nothing in this Act affects the operation of any *bona fide* retirement or pension plan or the terms or conditions of any *bona fide* group or employee insurance plan.

## Prohibitions

**5.**—(1) No employer or person acting on behalf of an employer shall,

(a) refuse to employ or to continue to employ any person or discriminate against any person with regard to employment or any condition of employment; or

(b) refuse promotion to an employed person,

because of his age.

## Idem

(2) No trade union shall exclude from membership or expel or suspend any person or member or discriminate against any person because of his age.

## Complaints

**6.**—(1) The Commission itself or through any person designated so to do may inquire into the complaint of any person that he or any person has been discriminated against contrary to this Act and it shall endeavour to effect a settlement of the matter complained of.

Form of  
complaint

(2) Every such complaint shall be in writing on the form prescribed by the Commission and shall be mailed or delivered to the Commission at its office.

Boards of  
inquiry

(3) If the Commission is unable to effect a settlement of the matter complained of, the Minister may, on the recommendation of the Commission, appoint a board of inquiry composed of one or more persons to investigate the matter and shall forthwith communicate the names of the members of the board to the parties to the complaint, and thereupon it shall be presumed conclusively that the board was appointed in accordance with this Act.

## Powers

R.S.O. 1960,  
c. 202

(4) The board has all the powers of a conciliation board under section 28 of *The Labour Relations Act*.

## Duties

(5) The board shall give the parties full opportunity to present evidence and to make submissions and, if it finds that the complaint is supported by the evidence, it shall recommend to the Commission the course that ought to be taken with respect to the complaint.

(6) If the board is composed of more than one person, the recommendations of the majority are the recommendations of the board. Majority recommendations to prevail

(7) After the board has made its recommendations, the Commission may direct it to clarify or amplify any of them, and they shall be deemed not to have been received by the Commission until they have been so clarified or amplified. Clarification of recommendations

(8) The Minister, on the recommendation of the Commission, may issue whatever order he deems necessary to carry the recommendations of the board into effect, and such order is final and shall be complied with in accordance with its terms. Minister's order

(9) The Lieutenant Governor in Council may determine the rate of remuneration of the chairman and members of boards of inquiry appointed under this section. Remuneration

**7.**—(1) Every person who contravenes any provision of this Act or any order made under this Act is guilty of an offence and on summary conviction is liable, Offences

(a) if an individual, to a fine of not more than \$100; or

(b) if a corporation, trade union, employers' organization or employment agency, to a fine of not more than \$500.

(2) The fines recovered for offences against this Act shall be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund. Disposition of fines

**8.** No prosecution for an offence under this Act shall be instituted except with the consent in writing of the Minister. Consent to prosecution

**9.** A prosecution for an offence under this Act may be instituted against a trade union or employers' organization in the name of the union or organization, and any act or thing done or omitted by an officer, official or agent of a trade union or employers' organization within the scope of his authority to act on behalf of the trade union or employers' organization shall be deemed to be an act or thing done or omitted by the trade union or employers' organization. Style of prosecution

**10.**—(1) Where a person has been convicted of a contravention of this Act, the Minister may apply by way of originating notice to a judge of the Supreme Court for an order prohibiting such person from continuing such contravention. Injunction proceedings

Idem

(2) The judge in his discretion may make such order and the order may be entered and enforced in the same manner as any order or judgment of the Supreme Court.

Commence-  
ment

**11.** This Act comes into force on the 1st day of July, 1966.

Short title

**12.** This Act may be cited as *The Age Discrimination Act, 1966*.



## CHAPTER 4

## An Act to amend The Agricultural Development Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Paragraph 2 of subsection 1 of section 19 of *The Agricultural Development Act* is amended by striking out "in the first instance, in payment of salaries and other operating expenses of the Commissioner and then" in the third, fourth and fifth lines, so that the paragraph shall read as follows:

R.S.O. 1960,  
c. 8, s. 19,  
subs. 1,  
par. 2,  
amended

2. The portion of the payment that consists of interest and all other revenue of the Commissioner on account of loans shall be applied to payment of losses written off or sustained on the sale of mortgaged properties and the balance then remaining shall be paid to the Treasurer in payment of interest on debentures issued by the Commissioner.

**2.** Sections 21 and 22 of *The Agricultural Development Act* are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 8, s. 21,  
re-enacted;  
s. 22,  
repealed

21. The Commissioner shall be assisted in the administration of this Act by such officers and other employees in the public service of Ontario as the Treasurer may assign for the purpose.

Staff

**3.** Section 23 of *The Agricultural Development Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 8, s. 23,  
re-enacted

23. The Commissioner shall make a report annually to the Treasurer, and the Treasurer shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Annual  
report

Commence-  
ment

**4.** This Act shall be deemed to have come into force on the 1st day of April, 1966.

Short title

**5.** This Act may be cited as *The Agricultural Development Amendment Act, 1966*.

## CHAPTER 5

**An Act to amend The Air Pollution Control Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 9 of *The Air Pollution Control Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 12, s. 9,  
subs. 1,  
re-enacted

- (1) Every person who contravenes or fails to comply with any provision of this Act or any regulation made under this Act or any order made by a provincial officer is guilty of an offence and on summary conviction is liable, if an individual, to a fine of not less than \$100 and not more than \$2,000 and, if a corporation, on first conviction to a fine of not more than \$5,000 and on each subsequent conviction to a fine of not more than \$10,000.

Offences

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Air Pollution Control Amendment Act, 1966*.

Short title





## CHAPTER 6

## An Act to amend The Algoma Central and Hudson Bay Railway Company Act, 1941

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Algoma Central and Hudson Bay Railway Company Act, 1941* is amended by adding thereto the following section: <sup>1941, c. 4, amended</sup>

**1a.**—(1) Notwithstanding section 1 and paragraphs 5 and 6 of the agreement mentioned therein, the exemptions mentioned in the said paragraphs shall be deemed to have terminated on the 31st day of December, 1965. <sup>Pars. 5, 6 of agreement terminated</sup>

(2) Notwithstanding section 1, in the year 1966 and thereafter, The Algoma Central and Hudson Bay Railway Company, now known as Algoma Central Railway, is liable for the charge imposed under *The Railway Fire Charge Act* and for assessment and taxation under *The Provincial Land Tax Act, 1961-62* as though the agreements mentioned in section 1 did not contain paragraphs 5 and 6. <sup>Company liable for provincial land tax, railway fire charge R.S.O. 1960, c. 343 1961-62, c. 111</sup>

**2.** Any bill for the railway fire charge or the provincial land tax for the year 1966 that is sent by prepaid post to Algoma Central Railway at its head office in Sault Ste. Marie, Ontario, within six months of the day upon which this Act receives Royal Assent shall, subject to the right to appeal the amount of the assessment, be deemed to have been sent and to be in accordance with *The Railway Fire Charge Act* or *The Provincial Land Tax Act, 1961-62*, as the case may be. <sup>Mailing of 1966 bills</sup>

**3.** No damages shall be recovered in any action or other proceedings against Her Majesty or any of Her ministers, officers, servants or agents founded upon a breach of contract or otherwise and arising out of the provisions of this Act. <sup>No damages recoverable</sup>

Commence-  
ment

**4.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation, which day shall be the 1st day of January, 1966.

Short title

**5.** This Act may be cited as *The Algoma Central and Hudson Bay Railway Company Amendment Act, 1966*.

## CHAPTER 7

**An Act to promote Ambulance Services  
and improve their Standards**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "ambulance service" means a service for the conveyance of persons requiring medical attention to a hospital or other place;
- (b) "Minister" means the Minister of Health;
- (c) "municipality" includes a metropolitan municipality but does not include a local municipality within a metropolitan municipality;
- (d) "operator" means a person or a partnership or association of persons that has the control and management of an ambulance service, and "operate" has a corresponding meaning;
- (e) "regulations" means the regulations made under this Act.

**2.**—(1) Notwithstanding section 29 of *The Public Health Act* and section 172b of *The Municipality of Metropolitan Toronto Act* and any by-law passed thereunder, no person shall operate an ambulance service unless he is licensed under this Act.

Licence  
R.S.O. 1960,  
cc. 321, 260

(2) The Minister may issue a licence where the proposed ambulance service complies with the regulations.

Issuance

(3) The Minister may revoke a licence where the operator is convicted of an offence against the regulations in respect of the ambulance service.

Revocation

## By-laws

**3.—**(1) The council of a municipality may pass by-laws,

- (a) for acquiring, maintaining and operating an ambulance service, and for fixing and charging fees therefor;
- (b) for entering into an agreement with any licensed ambulance operator or other municipality for a period of not less than two years and not more than five years to maintain and operate an ambulance service in the municipality, including the payment of an annual subsidy for such purpose, as may be agreed upon; and
- (c) for entering into an agreement with any person or other municipality for the use of an ambulance service by such person or in such other municipality.

## Exception

(2) Subsection 1 does not apply to a municipality for which a local board of health provides an ambulance service under R.S.O. 1960, c. 321, section 29 of *The Public Health Act*.

## Approval of agreements

(3) An agreement entered into under subsection 1 is subject to the approval of the Minister.

## Penalty

**4.** Any person who contravenes this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not more than \$500.

## Agreements

**5.** The Minister, with the approval of the Lieutenant Governor in Council, may enter into agreements with operators for the provision of ambulance services in such parts of Ontario and subject to such terms and conditions as are agreed upon.

## Regulations

**6.—**(1) The Lieutenant Governor in Council may make regulations,

- (a) providing for the licensing of operators of ambulance services;
- (b) requiring the payment of fees for licences and prescribing the amount thereof;
- (c) governing minimum standards for ambulance services, or any class thereof, including the standard of service, equipment and other facilities used in ambulance services, and the qualifications that shall be held by persons employed in ambulance services;
- (d) providing for the apportionment and distribution to municipalities, local boards of health and public hospitals and to such non-profit organizations as are

designated



designated of grants out of moneys appropriated therefor by the Legislature for the provision of ambulance services, and for the conditions governing the payment thereof;

- (e) exempting any class of ambulance service or operators from the application of this Act or the regulations;
- (f) prescribing forms for the purposes of this Act and the regulations and providing for their use;
- (g) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) A grant payable in accordance with a regulation made <sup>Maximum grants</sup> under clause *d* of subsection 1 shall not exceed 50 per cent of the amount expended for ambulance services by a municipality, local board of health, public hospital or non-profit organization, as the case may be.

**7.** The moneys required for the purposes of this Act, <sup>Moneys</sup> including moneys necessary for the grants referred to in clause *d* of subsection 1 of section 6, shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

**8.** This Act comes into force on a day to be named by the <sup>Commence-</sup> Lieutenant Governor by his proclamation.

**9.** This Act may be cited as *The Ambulance Services Act*, <sup>Short title</sup> 1966.



## CHAPTER 8

**An Act respecting The Art Gallery of Toronto**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

(a) "Board" means the board of directors of the Gallery;

(b) "Gallery" means the Art Gallery of Ontario.

**2.**—(1) The Art Gallery of Toronto is continued as a corporation without share capital under the name "Art Gallery of Ontario" and, subject to the provisions of this Act, has and may hold, possess and enjoy all the property, rights, powers and privileges that it now has, holds, possesses or enjoys, and, subject to the provisions of this Act, all by-laws, rules and regulations of The Art Gallery of Toronto now in force shall continue in force until amended or repealed.

(2) On and after the 1st day of October, 1966, the Art Gallery of Ontario shall consist of the directors for the time being of the Board.

**3.** The objects of the Gallery are,

Objects of  
Gallery

(a) to cultivate and advance the cause of the visual arts in Ontario;

(b) to conduct programmes of education in the origin, development, appreciation and techniques of the visual arts;

(c) to collect and exhibit works of art and displays and to maintain and operate a gallery and related facilities as required for this purpose; and

(d) to stimulate the interest of the public in matters undertaken by the Gallery.

Board of  
directors

4.—(1) On and after the 1st day of October, 1966, the affairs of the Gallery shall be managed and controlled by a board of directors consisting of twenty-five directors as follows:

- (a) five persons appointed by The College of Founders of The Art Gallery of Toronto;
- (b) ten persons appointed by the membership of the Gallery; and
- (c) ten other persons appointed by the Lieutenant Governor in Council.

Term of  
office

(2) Each director shall hold office for one year and until his successor is appointed.

Vacancies

(3) Where a vacancy occurs for any reason among the directors, the vacancy shall be filled by a person appointed by the body that appointed the director whose office is vacant.

Chairman,  
vice-  
chairmen

(4) The directors shall annually elect from among themselves a chairman and one or more vice-chairmen.

Presiding  
officer

(5) The chairman shall preside at all meetings of the Board and, in his absence, a vice-chairman shall preside, and, in the absence of the chairman and the vice-chairmen, the members present at a meeting shall elect one of themselves to preside.

Powers of  
Board

5. The Board may,

- (a) make by-laws, rules and regulations,
  - (i) for the administration of its affairs, including the fixing of a quorum of the Board,
  - (ii) governing the use by the public of the facilities, property and equipment of the Gallery and requiring the payment of fees for the admission of the public or any class thereof to such facilities and property, and prescribing the amounts of such fees, and
  - (iii) providing for membership in the Gallery and prescribing the qualifications and terms of membership and the fees to be paid therefor, and providing for and regulating meetings of the members;

(b)

- (b) appoint a Director of the Gallery;
- (c) appoint, promote, transfer or remove all officers and staff as are necessary for the proper conduct of the affairs of the Gallery, but no person shall be appointed, promoted, transferred or removed as an officer or member of the staff except on the recommendation of the Director;
- (d) fix the number, duties, salaries, qualifications and tenure of office or employment and other emoluments of officers and members of the staff of the Gallery;
- (e) provide for the retirement and superannuation of persons mentioned in clauses *b* and *c*;
- (f) appoint by resolution a director or directors of the Board, or any other person or persons, to execute on behalf of the Board any documents and other instruments in writing and to affix the corporate seal of the Gallery thereto;
- (g) appoint committees from the directors of the Board and such other committees as are deemed desirable, and confer upon any such committees authority to act for the Board with respect to any matter or classes of matters;
- (h) enter into agreements with any association or organization having objects similar to those of the Gallery;
- (i) enter into agreements with one or more universities, colleges or schools in areas consistent with the objects of the Gallery; and
- (j) generally conduct and manage the business and affairs of the Gallery.

**6.** The fiscal year of the Gallery shall extend from the 1st day of July of any year to the 30th day of June of the following year. Fiscal year

**7.** All trusts, gifts, devises and bequests that have heretofore been or shall hereafter be made to or in favour of or intended for The Art Gallery of Toronto shall be held and enjoyed by the Art Gallery of Ontario. Trusts,  
bequests,  
etc.

**8.** The Gallery has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by Property  
R.S.O. 1960,  
c. 191

gift,



gift, bequest or devise and to hold and enjoy any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding.

Tax  
exemption

**9.** The real and personal property vested in the Gallery and any lands and premises leased to and occupied by the Gallery are not liable to taxation for provincial, municipal or school purposes, and are exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the Gallery.

Property  
of Gallery  
not liable  
to be expro-  
priated

**10.** Real property vested in the Gallery is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto.

Application  
of property

**11.** The property and the income, revenues, issues and profits of all property of the Gallery shall be applied solely to achieving the objects of the Gallery.

Borrowing  
powers

**12.** The Board may borrow money upon the credit of the Gallery, and may issue bonds, debentures or other securities of the Gallery, and may pledge or sell them for such sums or at such prices as may be deemed expedient or necessary, and may hypothecate, mortgage or pledge all or any of the real or personal property, rights or powers of the Gallery to secure any bonds, debentures or other securities and any indebtedness of or money borrowed for the purposes of the Gallery.

Investment  
of funds

**13.** The funds of the Gallery not immediately required for its purposes and the proceeds of all property that come to the Gallery, subject to any trust or trusts affecting the same, may be invested and reinvested in such investments as the Board deems meet.

Audit

**14.** The accounts and financial transactions of the Gallery shall be audited annually by an auditor or auditors appointed by the Board.

Annual  
report

**15.** Upon the request of the Lieutenant Governor in Council, the Board shall submit to him its annual report and shall submit such other reports as he may request from time to time.

**16.** Nothing in this Act authorizes the Board to alienate, <sup>Trust</sup> hypothecate, mortgage or pledge any real or personal property <sub>property</sub> given, devised or bequeathed to it with a condition annexed to such gift that the property shall not be alienated, hypothecated, mortgaged or pledged.

**17.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sub>ment</sub>

**18.** This Act may be cited as *The Art Gallery of Ontario* <sup>Short title</sup> Act, 1966.



## CHAPTER 9

## An Act to amend The Artificial Insemination of Cattle Act, 1962-63

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *f* of section 1 of *The Artificial Insemination of Cattle Act, 1962-63* is repealed and the following substituted therefor: 1962-63,  
c. 5, s. 1,  
cl. *f*,  
re-enacted

(*f*) “Minister” means the Minister of Agriculture and Food.

(2) Clause *i* of the said section 1 is repealed.

1962-63,  
c. 5, s. 1,  
cl. *i*,  
repealed

**2.** *The Artificial Insemination of Cattle Act, 1962-63* is amended by adding thereto the following section: 1962-63,  
c. 5,  
amended

**7a.** A licence may be issued to engage in an inseminating business or to act as an inseminator throughout Ontario or in such part thereof as is determined by the Commissioner and specified in the licence. Territorial  
restrictions

**3.** Section 9 of *The Artificial Insemination of Cattle Act, 1962-63* is repealed and the following substituted therefor: 1962-63,  
c. 5, s. 9,  
re-enacted

**9.**—(1) No person shall use semen for the purpose of artificial insemination other than semen purchased or otherwise acquired from a licensed semen-producing business. Semen to be  
obtained  
from  
licensed  
producer

(2) No person licensed to engage in a semen-producing business shall sell or otherwise dispose of semen for the purpose of artificial insemination other than semen produced in Ontario by a bull maintained by a licensed semen-producing business. Sale of  
semen

(3) Notwithstanding subsections 1 and 2, the Commissioner may authorize in writing, Exceptions

(a)

- (a) the use for the purpose of artificial insemination of semen that is not purchased or acquired from a licensed semen-producing business; or
- (b) the sale or disposition for the purpose of artificial insemination of semen that is not produced in Ontario by a bull maintained by a licensed semen-producing business.

1962-63,  
c. 5, s. 10,  
amended

**4.** Section 10 of *The Artificial Insemination of Cattle Act, 1962-63* is amended by adding thereto the following clause:

- (la) governing the advertising of semen and the furnishing of information to the public by any person licensed under this Act.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** This Act may be cited as *The Artificial Insemination of Cattle Amendment Act, 1966*.



## CHAPTER 10

## An Act to amend The Assessment Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of paragraph 4 of section 4 of *The Assessment Act*, as enacted by subsection 1 of section 1 of *The Assessment Amendment Act, 1960-61*, is amended by adding at the end thereof "or a person already exempt from taxation in respect of the property rented or leased", so that the clause shall read as follows:

R.S.O. 1960,  
c. 23, s. 4,  
par. 4, cl. *a*  
(1960-61,  
c. 4, s. 1,  
subs. 1),  
amended

(a) The exemption from taxation under this paragraph does not apply to lands rented or leased to an educational institution mentioned in this paragraph by any person other than another such institution or a person already exempt from taxation in respect of the property rented or leased.

When  
exemption  
not to  
apply

2. *The Assessment Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 23,  
amended

8a. The exemptions provided for by section 4 are subject to the provisions of paragraph 52 of subsection 1 of section 379 and section 380 of *The Municipal Act* as to the imposition of special rates on land, which would otherwise be exempt from such assessment under section 4, for the completion, improvement, alteration, enlargement or extension of any public utility undertaking or for the construction of sewage works or water works or the operation, repair and maintenance of sewage works.

Imposition  
of special  
rates  
R.S.O. 1960,  
c. 249

3. Subsection 2 of section 9 of *The Assessment Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 23, s. 9,  
subs. 2,  
re-enacted

(2) Where any person liable to be assessed for business assessment carries on a business that, by reason of its nature or location, makes it reasonably necessary

Exception

for

for him to provide without charge parking for the vehicles of his employees, such person is not liable for business assessment on land reasonably necessary for such purpose as determined by the assessor.

R.S.O. 1960,  
c. 23, s. 16,  
subs. 1,  
amended

4. Subsection 1 of section 16 of *The Assessment Act* is amended by inserting after "county assessor" in the second line "and any assistants of and designated by any such assessment commissioner, assessor or county assessor", so that the subsection shall read as follows:

Right of  
access

- (1) The assessment commissioner, if any, every assessor of a municipality, the county assessor, and any assistants of and designated by any such assessment commissioner, assessor or county assessor, the commissioner and members of courts of revision, the county court judge, the members of the Ontario Municipal Board and officials of the Department shall at all reasonable times and upon reasonable request be given free access to all land and to all parts of every building, structure, machinery and fixture erected or placed upon, in, over, under or affixed to the land, for the purpose of making a proper assessment thereof or of making a proper business assessment in respect thereof.

R.S.O. 1960,  
c. 23, s. 20,  
subs. 2,  
amended

5. Subsection 2 of section 20 of *The Assessment Act* is amended by striking out Column 28 and by renumbering Column 27a, as enacted by subsection 1 of section 4 of *The Assessment Amendment Act, 1962-63*, as Column 28.

R.S.O. 1960,  
c. 23, s. 29,  
subss. 2, 3,  
re-enacted

6. Subsections 2 and 3 of section 29 of *The Assessment Act* are repealed and the following substituted therefor:

Register  
of census

- (2) The assessor shall enter the census in a register, which shall show the population in the age groups as required under subsection 1 in relation to each parcel separately assessed, and such register shall be according to the form and include the particulars prescribed by the Department.

Taking and  
return of  
census

- (3) The census shall be taken yearly on or before the 30th day of September and a summary thereof showing the total number of inhabitants according to the age groups set forth in subsection 1 shall be returned by the assessor to the clerk of the municipality not later in the same year than the 1st day of October.

7.—(1) Subsection 1 of section 39 of *The Assessment Act* is amended by inserting after “course” in the third line “but not including the part of the land actually occupied by any building or structure or such building or structure”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 23, s. 39,  
subs. 1,  
amended

- (1) Any local municipality may enter into an agreement with the owner of a golf course for providing a fixed assessment for the land occupied as a golf course, but not including the part of the land actually occupied by any building or structure or such building or structure, to apply to taxation for general, school and special purposes, but not to apply to taxation for local improvements.

Agreement  
for fixed  
assessment  
for golf  
course

(2) Subsections 4, 5 and 6 of the said section 39 are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 23, s. 39,  
subss. 4-6,  
re-enacted

- (4) When an agreement is for any reason terminated as to the whole of the lands in respect of which the fixed assessment is given, the owner shall,

Termination  
of agree-  
ment, as  
to all of  
lands

(a) pay to the municipality the amount debited against the golf course, including the amounts of interest debited in accordance with clause *c* of subsection 2; or

(b) require the municipality to purchase the golf course for an amount equal to the fixed assessment.

- (5) When an agreement is for any reason terminated as to a part of the land in respect of which the fixed assessment is given, the owner shall,

as to part  
of lands

(a) pay to the municipality that portion of the amount debited against the golf course, including the amounts of interest debited in accordance with clause *c* of subsection 2, that is attributable to the portion of the golf course in respect of which the agreement is terminated; or

(b) require the municipality to purchase the part of the golf course in respect of which the agreement is terminated for an amount equal to the fixed assessment that is attributable to such part.

Agreement  
terminated  
when land  
ceases to be  
used as golf  
course

- (6) Where a golf course has a fixed assessment under an agreement under subsection 1, the agreement shall terminate as to the whole or any part of the land in respect of which the fixed assessment is given when the whole or any such part thereof ceases to be occupied for the purposes of a golf course.

Termination  
of agree-  
ment

- (7) Any agreement may be terminated on the 31st day of December in any year upon the owner of the golf course giving six months notice of such termination in writing to the municipality.

Dispute

- (8) Any dispute between the municipality and the owner of the golf course in relation to an agreement or this section shall be settled by the Ontario Municipal Board, and the decision of the Board is final.

R.S.O. 1960,  
c. 23, s. 41,  
subs. 1,  
cl. c,  
re-enacted

8.—(1) Clause *c* of subsection 1 of section 41 of *The Assessment Act* is repealed and the following substituted therefor:

- (c) “pipe line” means, subject to subsection 4, a pipe line for the transportation or transmission of gas that is designated by the owner as a transmission pipe line and a pipe line for the transportation or transmission of oil, and includes,

- (i) all valves, couplings, cathodic protection apparatus, protective coatings and casings,
- (ii) all haulage, labour, engineering and overheads in respect of such pipe line,
- (iii) any section, part or branch of any pipe line,
- (iv) any easement or right of way used by a pipe line company, and
- (v) any franchise or franchise right,

but does not include a pipe line or lines situate wholly within an oil refinery, oil storage depot, oil bulk plant or oil pipe line terminal.

R.S.O. 1960,  
c. 23, s. 41,  
subs. 2,  
repealed;  
subs. 3,  
re-enacted

(2) Subsections 2 and 3 of the said section 41 are repealed and the following substituted therefor:

Notice to  
municipalities

- (3) On or before the 1st day of July in each year, the pipe line company shall notify the clerk or the assessment commissioner of each local municipality of the



age, length and diameter of all its transmission pipe lines located in the municipality as of the 1st day of June of that year.

(3) Subsections 6 and 7 of the said section 41 are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 23, s. 41,  
subs. 6,  
re-enacted;  
subs. 7,  
repealed

(6) A pipe line shall be depreciated at the rate of 5 per cent of the assessed value of the pipe line every three years from the year of installation, with a maximum depreciation of 55 per cent.

Deprecia-  
tion of pipe  
lines

(4) The said section 41 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 23, s. 41,  
amended

(9a) Where a pipe line has been constructed and used for the transportation of oil or gas and ceases to be so used by reason of an order or regulation of an authority having jurisdiction in that behalf, other than the taxing authority, and an application to the proper authority for permission to abandon such pipe line has been refused, the assessment of such pipe line shall be reduced by 20 per cent so long as it is not used for the transportation of oil or gas.

Reduction  
of assess-  
ment on  
pipe line

9. Subsection 7 of section 43 of *The Assessment Act* is amended by striking out "and for accounting purposes shall be deemed to be taxes" in the third and fourth lines, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 23, s. 43,  
subs. 7,  
amended

(7) The payments received under subsections 3, 4 and 5 shall be credited by the municipality to the general fund of the municipality.

Credit to  
municipal  
general  
fund

10. Subsection 1 of section 48 of *The Assessment Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 23, s. 48,  
subs. 1,  
re-enacted

(1) The assessor or his assistant shall, prior to the completion of the assessment roll for the municipality or ward, as the case may be, deliver in the manner hereinafter provided to every person named therein, except persons entered on the roll under section 24, a notice (Form 2) of the sum or sums for which such person has been assessed and such other particulars as are mentioned in the Form, and shall enter in the roll opposite the name of the person the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which

Notice of  
assessment



the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery.

R.S.O. 1960,  
c. 23, s. 53,  
subs. 1,  
amended

**11.**—(1) Subsection 1 of section 53 of *The Assessment Act* is amended by striking out “and” at the end of clause *b*, by adding “and” at the end of clause *c* and by adding thereto the following clause:

- (*d*) the increase in value, as certified by the assessor, of any pipe line that ceases to be entitled to the reduction provided for in subsection 9*a* of section 41.

R.S.O. 1960,  
c. 23, s. 53,  
subs. 4,  
amended

(2) Subsection 4 of the said section 53 is amended by striking out “deliver to or send by registered mail” in the third and fourth lines and inserting in lieu thereof “deliver as provided for notices of assessment in subsections 2 and 3 of section 48”, so that the subsection shall read as follows:

Notice and  
appeals

- (4) Where an entry is made or is to be made in the collector's roll under this section, the assessor shall, before the assessment is added to the collector's roll, deliver as provided for notices of assessment in subsections 2 and 3 of section 48 to the person to be taxed a notice setting out the amount of the assessment and, where applicable, the amount of the assessment of real property liable to taxation under subsection 3, and the time within which an appeal may be made from such assessment, and the same rights in respect of appeal lie as if the assessment had been made in the usual way, but for the purposes of an appeal made from an assessment under this section the assessment roll shall be deemed to have been returned on the day such assessment is added to the collector's roll.

R.S.O. 1960,  
c. 23, s. 53,  
amended

(3) The said section 53 is amended by adding thereto the following subsection:

Evidence of  
delivery of  
notice

- (4*a*) When a notice has been delivered under subsection 4, the assessor shall enter in the collector's roll opposite the name of the person the date of delivery of the notice, and the entry is *prima facie* evidence of the delivery.

R.S.O. 1960,  
c. 23, s. 54,  
subs. 3,  
amended

**12.**—(1) Subsection 3 of section 54 of *The Assessment Act* is amended by striking out “deliver to or send by registered mail” in the fourth line and inserting in lieu thereof “deliver as provided for notices of assessment in subsections 2 and 3 of section 48”, so that the subsection shall read as follows:

- (3) Where an addition or amendment is made to the assessment roll under this section, the assessor shall, before the assessment is added to the roll or the roll is amended, deliver as provided for notices of assessment in subsections 2 and 3 of section 48 to the person assessed a notice setting out the amount of the assessment and, where applicable, the amount of the assessment of real property liable to taxation under subsection 3 of section 53, and the time within which an appeal may be made from such assessment, and the same rights in respect of appeal lie as if the assessment had been made in the usual way, but for the purposes of appeal from an assessment under this section the assessment roll shall be deemed to have been returned on the day such assessment is added to the assessment roll or the roll is amended. Notice and appeals

(2) The said section 54 is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 23, s. 54,  
amended

- (3a) When a notice has been delivered under subsection 3, the assessor shall enter in the assessment roll opposite the name of the person the date of delivery of the notice, and the entry is *prima facie* evidence of the delivery. Evidence of delivery of notice

**13.** Subsection 3 of section 59 of *The Assessment Act* is amended by striking out "and added up" in the third and fourth lines, so that the subsection shall read as follows: R.S.O. 1960,  
c. 23, s. 59,  
subs. 3,  
amended

- (3) The assessment commissioner or assessor shall on or before the day fixed for the return of the assessment roll deliver it to the clerk of the municipality completed, with the affidavit attached, and the clerk shall, immediately upon receipt of the roll, file it in his office, and it shall be open to inspection during office hours. Roll to be delivered to clerk

**14.—**(1) Subsection 5 of section 72 of *The Assessment Act* is amended by inserting after "post up" in the first line "in his office and", so that the subsection shall read as follows: R.S.O. 1960,  
c. 23, s. 72,  
subs. 5,  
amended

- (5) The clerk of the municipality shall post up in his office and in some convenient and public place within the municipality or ward a list of all complainants, on their own behalf, against the assessor's return, and of all complainants on account of the assessment of other persons, stating the names of each, with a concise description of the matter complained against, together with an announcement of the time when the court will be held to hear the complaints. Clerk to give notice by posting up list

R.S.O. 1960,  
c. 23, s. 72,  
subs. 21,  
re-enacted

(2) Subsection 21 of the said section 72, as amended by section 9 of *The Assessment Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Alteration  
of roll  
by clerk

(21) The clerk of the court of revision,

- (a) shall forthwith alter and amend the assessment roll in accordance with the decisions of the court of revision and shall write his name or initials against every alteration or amendment, and shall complete the roll by adding the same and inserting the total of such additions; or
- (b) where data processing equipment is used, shall forthwith cause to be prepared a new assessment roll, which shall include all changes made by the court of revision, and shall initial each entry in which a change has been made by the court of revision, and shall complete the roll by adding the same and inserting the total of such additions.

Appendix  
when new  
roll  
prepared

(21a) When a new assessment roll is prepared under clause *b* of subsection 21, the clerk of the court of revision shall also add as an appendix to the roll all entries that have been altered or amended in accordance with the decision of the court of revision as they appeared on the roll prior to such alteration or amendment.

R.S.O. 1960,  
c. 23, s. 72,  
subs. 22,  
re-enacted

(3) Subsection 22 of the said section 72 is repealed and the following substituted therefor:

Notice of  
decision

(22) When the court of revision has heard and decided an appeal, the clerk of the municipality shall within fourteen days cause notice of the decision in such appeal to be given,

- (a) where the appeal was as to the amount of the assessment, by registered mail; and
- (b) in the case of all other appeals, by ordinary mail,

to the persons to whom notice of the hearing of such appeal was given, and such notice shall state thereon that such decision may be appealed to the county judge within ten days of the mailing of the notice.

Notice  
where  
assessment  
\$25,000  
or more

(22a) When the court of revision has heard and decided an appeal and the assessment is in an amount of \$25,000 or more or has been increased by the court



of revision to an amount of \$25,000 or more, the notice under subsection 22 shall also state thereon that, if no appeal is taken to the county judge, such decision may be appealed to the Ontario Municipal Board within twenty-one days of the mailing of such notice.

**15.—**(1) Section 83 of *The Assessment Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 23, s. 83,  
amended

(2a) Where an assessment is in an amount of \$25,000 or more or has been increased by the court of revision to an amount of \$25,000 or more and where no appeal is taken to the county judge, an appeal shall also lie to the Ontario Municipal Board from a decision of the court of revision in the same manner as an appeal under subsection 1 or 2. Appeals  
to O.M.B.

(2) Subsection 4 of the said section 83 is amended by striking out "this section" in the first line and inserting in lieu thereof "subsections 1 and 2", so that the subsection shall read as follows: R.S.O. 1960,  
c. 23, s. 83,  
subs. 4,  
amended

(4) A notice of appeal to the Board under subsections 1 and 2 shall, within twenty-one days after notice of the decision appealed from has been given under subsection 2 of section 82, be sent by the party appealing by registered mail to the secretary of the Board and to the persons to whom notice of the hearing before the judge was given. Notice of  
appeal  
under  
subs. 1, 2

(3) The said section 83 is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 23, s. 83,  
amended

(4a) A notice of appeal to the Board under subsection 2a shall, within twenty-one days after notice of the decision appealed from has been given under subsection 22 of section 72, be sent by the party appealing by registered mail to the secretary of the Board, to the assessment commissioner or, if none, to the clerk of the municipality and to all the persons appealed against. Notice of  
appeal  
under  
subs. 2a

**16.—**(1) Section 104 of *The Assessment Act*, as re-enacted by section 6 of *The Assessment Amendment Act, 1964* and amended by section 7 of *The Assessment Amendment Act, 1965*, is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 23, s. 104  
(1964,  
c. 4, s. 6),  
amended

(8a) Where a municipality or locality, other than a city, includes part of two or more territorial districts and a district assessor has been appointed for only one Where  
municipality  
or locality  
situate in  
more than  
one  
territorial  
district

of

of the territorial districts, the district assessor shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner, and he shall be deemed for the purposes of this and every other Act to be the assessor and assessment commissioner for the whole of the municipality or locality, and, where a municipality or locality, other than a city, includes parts of two or more territorial districts and district assessors have been appointed for two or more of such territorial districts, the district assessor of the territorial district in which the greater portion of the assessment of the municipality or locality is situate shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner, and he shall be deemed for the purposes of this and every other Act to be the assessor and assessment commissioner for the whole of the municipality or locality.

R.S.O. 1960,  
c. 23, s. 104  
(1964,  
c. 4, s. 6),  
subs. 14,  
amended

(2) Subsection 14 of the said section 104 is amended by striking out "that month" in the sixth line and inserting in lieu thereof "the following January", so that the subsection shall read as follows:

Budget

(14) The district assessor shall in December of each year prepare the budget of the estimated cost of his office for the ensuing year and of the proportion thereof chargeable to each municipality and locality and shall deliver a copy of the budget to each municipality and locality not later than the 15th day of the following January.

R.S.O. 1960,  
c. 23, s. 104  
(1964,  
c. 4, s. 6),  
subs. 16,  
amended

(3) Subsection 16 of the said section 104 is amended by striking out "January, April, July and October" in the ninth line and inserting in lieu thereof "February, May, August and November", so that the subsection shall read as follows:

Payments  
to assessor

(16) Every municipality and locality for which the district assessor is deemed to be the assessor shall in each year remit to the district assessor, by equal quarterly payments in advance, its proportion of the cost for that year as shown in the budget or, if the budget is appealed, as shown in the budget as corrected in accordance with the decision of the Minister, and such quarterly payments shall be made on or before the 15th days of February, May, August and November in each year, and, if any such quarterly payment is not made by such date, it shall bear interest at the rate of 6 per cent per annum until paid.



**17.** *The Assessment Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 23,  
amended

117a.—(1) Instead of entering on the roll the date of the demand or of the delivery or mailing of the notice as required by sections 116 and 117, the collector may, at the time of such demand or notice, as the case may be, or immediately thereafter, make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the demands or notices in the roll or in the part were made, delivered or mailed. Certificates  
re dates of  
delivering  
notices

(2) Any such certificate is *prima facie* evidence of the making, delivery or mailing of such demand or notice. Evidence

**18.** Section 119 of *The Assessment Act* is amended by striking out “and the payment of a fee of 25 cents” in the second and third lines, so that the section shall read as follows: R.S.O. 1960,  
c. 23, s. 119,  
amended

119. After taxes have been levied in any year, the collector shall upon demand give a certificate with respect to any assessment for real property or business assessment indicating that the taxes for the current year have been levied, the amount of the taxes and whether or not all or any part of such taxes have been paid. Certificate  
re current  
taxes

**19.** Section 182 of *The Assessment Act*, as amended by section 7 of *The Assessment Amendment Act, 1964*, is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 23, s. 182,  
amended

(2b) Where a notice has been sent under subsection 2 to a corporation, the treasurer shall, within the time limit in subsection 2, send by registered mail to the Public Trustee a copy of the notice so sent. Copy of  
notice to  
Public  
Trustee

**20.** Form 5 of *The Assessment Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 23,  
Form 5,  
re-enacted

## FORM 5

### (Section 128, Subsection 3)

#### FORM OF OATH TO BE ATTACHED TO COLLECTOR'S ROLL

I, (*name and residence*), make oath and say (*or solemnly declare and affirm*) as follows:

In

In accordance with *The Assessment Act*, I have appended my initials in the collector's roll attached hereto to every date entered by me in the roll as the date of demand of payment, or notice of taxes, pursuant to section 115 (or section 120) and of every transmission of statement and demand of taxes pursuant to section 117, or have attached my certificate pursuant to section 117a, and every such date has been truly stated in the roll or certificate.

Commence-  
ment

**21.**—(1) This Act, except sections 1, 2, 3, 5, 6, 7 and 8 and subsection 1 of section 11, comes into force on the day it receives Royal Assent.

Idem

(2) Subsection 3 of section 8 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

(3) Sections 1, 2, 3, 5, 6 and 7, subsections 1, 2 and 4 of section 8 and subsection 1 of section 11 come into force on the 1st day of January, 1967.

Short title

**22.** This Act may be cited as *The Assessment Amendment Act, 1966*.

## CHAPTER 11

## An Act to amend The Bailiffs Act, 1960-61

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 10a of *The Bailiffs Act, 1960-61*, as enacted by section 4 of *The Bailiffs Amendment Act, 1964*, is amended by adding thereto the following subsections:

- (3) Every bailiff shall keep and maintain books of account in accordance with accepted principles of double-entry bookkeeping, and shall obtain an audit of his books of account and financial transactions annually by a public accountant licensed under *The Public Accountancy Act*. Books of account  
1960-61, c. 5, s. 10a  
(1964, c. 5, s. 4), amended  
R.S.O. 1960, c. 317
- (4) Every bailiff shall furnish the Director with a financial statement in such form and at such times as the Director requires. Financial statement
- (5) The Director or such other person as the Director authorizes in writing may, at any time between 9 o'clock in the forenoon and 5 o'clock in the afternoon, enter the premises of a bailiff and examine his books of account and records. Inspection
- (6) Every bailiff shall maintain an account designated as a trust account in a chartered bank, the Province of Ontario Savings Office or a registered trust company in which he shall deposit all moneys received by him on behalf of other persons, less any lawful fees or charges, and such moneys shall be kept and accounted for separately from any other moneys. Trust accounts
- (7) Before the fifteenth day of each month, every bailiff shall account to the persons entitled thereto for any moneys received in trust during the previous month and shall pay the moneys, less lawful fees and charges. Accounting for and payment of trust moneys

Disposition  
of unclaimed  
trust moneys

- (8) Within six months after a bailiff receives moneys held under subsection 6, the bailiff shall make every effort to locate the person entitled to the moneys, and shall pay any moneys thereafter remaining unclaimed to the Treasurer of Ontario who may pay the moneys to any person who satisfies the Treasurer that he is entitled thereto.

Commence-  
ment

- 2.** This Act comes into force on the 1st day of July, 1966.

Short title

- 3.** This Act may be cited as *The Bailiffs Amendment Act, 1966*.

## CHAPTER 12

**An Act respecting the Village of Beachville**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The council of The Corporation of the Village of Beachville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures of the Corporation in a principal amount not exceeding \$100,000, payable in not more than twenty years, for the purpose of paying the balance required for the construction and equipping by The Public School Board of the Township School Area of the Township of West Oxford of an addition of three classrooms to the Beachville Public School. Debenture  
by-law  
authorized

**2.** Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. Application  
of R.S.O.  
1960, c. 274

**3.** For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 63 of *The Public Schools Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Village of Beachville to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Village of Beachville to issue a debenture or debentures under section 1. By-law  
deemed  
approved  
by O.M.B.  
R.S.O. 1960,  
cc. 330, 274

**4.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**5.** This Act may be cited as *The Village of Beachville Act*, 1966. Short title





## CHAPTER 13

**An Act to amend  
The Bills of Sale and Chattel Mortgages Act**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 30 of *The Bills of Sale and Chattel Mortgages Act* is amended by inserting after "any" in the third line "railway" and by striking out "railway" in the fourth line, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 34, s. 30,  
subs. 1,  
amended

- (1) In the case of a mortgage, hypothec or other instrument made by a corporation securing bonds, debentures, notes or other securities on any railway rolling stock that is subject to any lease, conditional sale or bailment to a corporation, it or a copy thereof may be filed in the office of the Provincial Secretary within twenty-one days from the execution thereof, and if so filed is as valid as against creditors of such corporation and subsequent purchasers as if it had been registered pursuant to this Act.

Railway  
rolling  
stock

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Bills of Sale and Chattel Mortgages Amendment Act, 1966*.

Short title



## CHAPTER 14

## An Act to amend The Cemeteries Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 29 of *The Cemeteries Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 47, s. 29,  
amended

(2a) Notwithstanding subsection 2, where the owner of a cemetery is a corporation that owns five or more cemeteries located in more than one county, the owner may submit his accounts to be passed, examined and audited by the judge of the surrogate court of the County of York. Exception

**2.** *The Cemeteries Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 47,  
amended

49a. The Lieutenant Governor in Council may make regulations providing that the provisions of this Act respecting perpetual care funds and pre-need assurance funds and the regulations with respect thereto apply to persons who do not own a cemetery but who sell or offer for sale cemetery lots or cemetery supplies and services. Extension  
of perpetual  
care and  
pre-care  
provisions

**3.** Section 73 of *The Cemeteries Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 47, s. 73,  
amended

(11) This section applies *mutatis mutandis* to a mausoleum that has been established and used and where there is no person upon whom the duty of taking care of and maintaining the mausoleum rests. Mausoleum

**4.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**5.** This Act may be cited as *The Cemeteries Amendment Act, 1966*. Short title





## CHAPTER 15

**An Act to amend The Change of Name Act**

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Change of Name Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 49,  
amended

**6a.** Where an unmarried mother makes an application, she may also make an application for any of her unmarried infant children of whom she has lawful custody. Application  
by un-  
married  
mother

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Change of Name Amendment Act, 1966*. Short title



## CHAPTER 16

**An Act to amend  
The Charitable Institutions Act, 1962-63**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 5 of *The Charitable Institutions Act, 1962-63* <sup>1962-63, c. 11, s. 5, re-enacted</sup> is repealed and the following substituted therefor:

- 5.** Where the site and plans of a new building or the plans of an addition to an existing building used or to be used as a charitable institution have been approved by the Minister under clause *c* of subsection 1 of section 4, the Lieutenant Governor in Council may, out of the moneys that are appropriated therefor by the Legislature, direct payment to the approved corporation erecting the new building or the addition,
- Grants for construction of buildings or additions
- (a) where the new building or the addition is to be used as a charitable institution other than a hostel, of an amount equal to the cost to the approved corporation of the new building or the addition, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the new building or the addition at the rate of \$5,000 per bed; and
- (b) where the new building or the addition is to be used as a hostel, of an amount equal to 30 per cent of the cost to the approved corporation of the new building or the addition, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the new building at the rate of \$1,500 per bed, but no payment shall be made

under

under this clause unless the council of the municipality in which the new building or the addition is situated directs payment to the approved corporation erecting the new building or the addition of an amount equal to at least 20 per cent of the cost thereof to the approved corporation.

1962-63,  
c. 11, s. 6,  
re-enacted

**2.** Section 6 of *The Charitable Institutions Act, 1962-63* is repealed and the following substituted therefor:

Grants for  
acquisition  
of buildings

6. Where the acquisition of a building to be used as a charitable institution other than a hostel has been approved by the Minister under clause *d* of subsection 1 of section 4, the Lieutenant Governor in Council may, out of the moneys that are appropriated therefor by the Legislature, direct payment to the approved corporation acquiring the building of an amount equal to the cost to the approved corporation of the acquisition, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the building at the rate of \$1,200 per bed.

1962-63,  
c. 11, s. 7,  
re-enacted

**3.** Section 7 of *The Charitable Institutions Act, 1962-63* is repealed and the following substituted therefor:

Maintenance  
grants for  
institutions  
other than  
hostels

7. Subject to section 8, where an approved corporation maintains and operates a charitable institution that is specified in the regulations as a charitable institution other than a hostel, there shall be paid to the corporation, out of the moneys that are appropriated therefor by the Legislature, an amount equal to 80 per cent of the net cost, computed in accordance with the regulations, that is paid by the corporation for the care and maintenance of each person resident in the charitable institution.

Commence-  
ment

**4.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**5.** This Act may be cited as *The Charitable Institutions Amendment Act, 1966*.

## CHAPTER 17

## An Act to amend The Child Welfare Act, 1965

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 8 of *The Child Welfare Act, 1965* is repealed and the following substituted therefor: <sup>1965, c. 14, s. 8, subs. 2, re-enacted</sup>

- (2) Every children's aid society shall, before the 15th day of February in each year, prepare in the prescribed form and file with the Director an estimate of its expenditures for operating costs as defined by the regulations for the current year. <sup>Estimate of expenditures</sup>

**2.—**(1) Subsection 1 of section 9 of *The Child Welfare Act, 1965*, is amended by striking out "31st day of December" in the second and third lines and inserting in lieu thereof "last day of February", so that the subsection shall read as follows: <sup>1965, c. 14, s. 9, subs. 1, amended</sup>

- (1) Subject to section 10, the estimate of expenditures of a children's aid society shall be submitted, before the last day of February, to the council of each municipality in the area in which the society has jurisdiction, and, where the estimate is prepared in accordance with the prescribed standards, the municipal council shall grant its approval to the necessary expenditures. <sup>Approval by council</sup>

(2) Subsection 2 of the said section 9 is amended by striking out "February" in the third line and inserting in lieu thereof "April", so that the subsection shall read as follows: <sup>1965, c. 14, s. 9, subs. 2, amended</sup>

- (2) Every estimate of expenditures prepared under section 8 shall be submitted to the Minister after it is approved under subsection 1 and before the 25th day of April, and the estimate is subject to the approval of the Minister. <sup>Approval by Minister</sup>



1965,  
c. 14, s. 12,  
subs. 1,  
cl. a,  
amended

**3.**—(1) Clause *a* of subsection 1 of section 12 of *The Child Welfare Act, 1965* is amended by striking out “40” in the first line and inserting in lieu thereof “60”, so that the clause shall read as follows:

- (a) 60 per cent of the part of the approved estimate referable to operating costs, other than the operating costs referred to in clause *b*; and

. . . . .

1965,  
c. 14, s. 12,  
subs. 2,  
amended

(2) Subsection 2 of the said section 12 is amended by striking out “60” in the third line and inserting in lieu thereof “40”, so that the subsection shall read as follows:

Payments  
by muni-  
cipality

- (2) Every municipality shall pay to the children’s aid society having jurisdiction in the municipality an amount equal to 40 per cent of the portion that is referable to the municipality of the approved estimate of operating costs other than for the care and maintenance of the children of unmarried mothers.

1965,  
c. 14, s. 12,  
subs. 4,  
re-enacted

(3) Subsection 4 of the said section 12 is repealed and the following substituted therefor:

Manner of  
payment

- (4) Any amount payable to a children’s aid society under this section in respect of an approved estimate of expenditures shall be paid at such times and in such manner as are prescribed by the regulations.

1965, c. 14,  
amended

**4.** *The Child Welfare Act, 1965* is amended by adding thereto the following section:

Costs of  
care and  
services for  
Indians

- 12a.** Where an agreement is entered into with the Crown in right of Canada providing for contribution by Canada to Ontario for the payment of the costs of the care and services provided by children’s aid societies for Indians, Ontario shall pay to children’s aid societies 100 per cent of the costs of such care and services, determined and paid in the manner prescribed by the regulations, and any Indians to which the agreement applies shall not be computed for the purposes of subsection 3 of section 8, and the amount paid to a children’s aid society under this section shall be deducted from the operating costs to which section 12 applies.

1965,  
c. 14, s. 87,  
amended

**5.**—(1) Section 87 of *The Child Welfare Act, 1965* is amended by adding thereto the following clauses:

(ha)

(*ha*) prescribing the manner of determining and paying the costs of care and services provided by children's aid societies for Indians for the purposes of section 12*a*;

(*hb*) prescribing the times and manner of payment of approved estimates of expenditures, including advances before estimates of expenditures are approved.

(2) Clause *i* of the said section 87 is amended by striking out "14" in the second line and inserting in lieu thereof "16", <sup>1965, c. 14, s. 87, cl. *i*, amended</sup> so that the clause shall read as follows:

(*i*) prescribing special needs of children for which joint facilities may be established under section 16.

**6.**—(1) This Act, except sections 1, 2, 3 and 5, shall be <sup>Commence-</sup> deemed to have come into force on the 1st day of April, 1966.<sub>ment</sub>

(2) Sections 1, 2, 3 and 5 come into force on a day to be <sup>Idem</sup> named by the Lieutenant Governor by his proclamation.

**7.** This Act may be cited as *The Child Welfare Amendment* <sup>Short title</sup> *Act, 1966.*



## CHAPTER 18

# An Act to amend The Children's Institutions Act, 1962-63

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 7, as re-enacted by section 3 of *The Children's Institutions Amendment Act, 1965*, and section 8 of *The Children's Institutions Act, 1962-63* are repealed and the following substituted therefor: 1962-63, c. 14, s. 7 (1965, c. 15, s. 3); re-enacted; s. 8, repealed

7. There shall be paid to an approved corporation out of the moneys appropriated therefor by the Legislature an amount equal to 80 per cent of the cost to the corporation, computed in accordance with the regulations, of services provided by a children's institution that is maintained and operated by the corporation for children who are resident in Ontario as determined by the regulations and have not been committed to the care of a children's aid society under *The Child Welfare Act, 1965* or any predecessor thereof. Subsidy for operating and maintenance costs

**2.**—(1) Clause *g* of section 11 of *The Children's Institutions Act, 1962-63* is repealed and the following substituted therefor: 1962-63, c. 14, s. 11, cl. *g*, re-enacted

(*g*) determining residence for the purposes of section 7.

(2) Clause *l* of the said section 11, as re-enacted by sub-section 2 of section 4 of *The Children's Institutions Amendment Act, 1965*, is repealed and the following substituted therefor: 1962-63, c. 14, s. 11, cl. *l* (1965, c. 15, s. 4, subs. 2), re-enacted

(*l*) prescribing the manner of computing the cost of services provided for children by a children's institution for the purposes of section 7.

**3.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

**4.** This Act may be cited as *The Children's Institutions Amendment Act, 1966*. Short title





## CHAPTER 19

**An Act to amend  
The Commuter Services Act, 1965**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 4 of *The Commuter Services Act, 1965* is amended by striking out “with the approval of the Lieutenant Governor in Council” in the first and second lines, so that the subsection shall read as follows:

(1) The Minister may,

Acquisition  
of property

(a) acquire by purchase, lease or otherwise any rolling stock, equipment, apparatus or thing; and

(b) acquire by purchase, lease or otherwise or expropriate any land or any interest in land,

that may be required for the establishment and operation, or either of them, of any commuter service that is or is to be provided by agreement under section 3.

(2) The said section 4 is amended by adding thereto the following subsection:

1965,  
c. 17, s. 4,  
amended

(3) The Minister may sell, lease or otherwise dispose of any rolling stock, equipment, apparatus or thing or any land or any interest in land no longer required for the purposes of this Act.

Disposition  
of property

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Commuter Services Amendment Act, 1966*.

Short title



## CHAPTER 20

**An Act to amend The Conditional Sales Act**

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 3 of *The Conditional Sales Act* <sup>R.S.O. 1960, c. 61, s. 3, subs. 1, amended</sup> is amended by inserting after "of" in the second line "railway" and by striking out "a railway" in the second line and inserting in lieu thereof "an incorporated", so that the subsection shall read as follows:

- (1) This Act does not apply to a contract for the sale of <sup>Railway rolling stock</sup> railway rolling stock by an incorporated company to an incorporated company if the contract or a copy of it is filed in the office of the Provincial Secretary within ten days from its execution.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent.<sub>ment</sub>

**3.** This Act may be cited as *The Conditional Sales Amend-* <sup>Short title</sup>  
*ment Act, 1966.*



## CHAPTER 21

**An Act to amend  
The Confederation Centennial Act, 1962-63**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 2 of *The Confederation Centennial Act, 1962-63*, as re-enacted by *The Confederation Centennial Amendment Act, 1965*, is amended by striking out "that is permitted to control, manage and expend its revenue moneys under section 68 of that Act" in the fifth and sixth lines, so that the subsection shall read as follows:

1962-63,  
c. 19, s. 2,  
subs. 2  
(1965,  
c. 18, s. 1),  
amended

(2) The Minister, in accordance with the regulations, may make grants out of the moneys that are appropriated therefor by the Legislature to any municipality, or to any band under the *Indian Act* (Canada), for the cost of any project or event to be undertaken in observance or commemoration of the Centennial.

Idem,  
grants to  
municipalities  
R.S.C. 1952,  
c. 149

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Confederation Centennial Amendment Act, 1966*.

Short title





## CHAPTER 22

**An Act to amend  
The Conservation Authorities Act**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Conservation Authorities Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 62,  
amended

- 4a.—(1) There is hereby constituted an authority to be known as the Hamilton Region Conservation Authority. Hamilton  
Region Con-  
servation  
Authority  
established
- (2) The Spencer Creek Conservation Authority is hereby dissolved. Spencer  
Creek Con-  
servation  
Authority  
dissolved
- (3) All the assets and liabilities of the Spencer Creek Conservation Authority are hereby vested in and become assets and liabilities of the Hamilton Region Conservation Authority. Assets and  
liabilities
- (4) The City of Hamilton, the towns of Dundas and Stoney Creek and the townships of Ancaster, Beverly, Flamborough East, Flamborough West, Puslinch and Saltfleet are hereby designated as the participating municipalities in the Hamilton Region Conservation Authority for the purposes of this Act. Participating  
municipal-  
ities
- (5) The Hamilton Region Conservation Authority shall have jurisdiction in all matters provided for in the Act over an area composed of the watersheds of Spencer Creek and all other streams entering Lake Ontario, including any bays or inlets thereof, from the point where the northeast boundary of the Spencer Creek watershed meets the shore of Lake Ontario to the point where the northwest boundary of the Niagara Peninsula Conservation Authority meets the shore of Lake Ontario. Jurisdiction  
of Authority

- Idem (6) The City of Hamilton and the Town of Stoney Creek are wholly included in the area over which the Hamilton Region Conservation Authority has jurisdiction.
- Members (7) Notwithstanding section 10, the number of members appointed by the City of Hamilton shall at all times be equal to the total number of members appointed by the other participating municipalities.
- Commence-  
ment **2.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.
- Short title **3.** This Act may be cited as *The Conservation Authorities Amendment Act, 1966*.

## CHAPTER 23

**An Act to provide for the Protection of Buyers of Consumer Goods and for the Fair Disclosure of the Cost of Credit**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) “borrower” means a person who receives credit;
- (b) “buyer” means a person who purchases goods for consumption or services under an executory contract and includes his agent, but does not include a person who buys in the course of carrying on business or an association of individuals, a partnership or a corporation;
- (c) “cost of borrowing” means,
  - (i) in the case of credit other than variable credit, the amount by which,
    - a. the total sum that the borrower is required to pay if the payments required are made as they become due, including all such sums regardless of the purpose or reason for the payment or the time of the payment,exceeds,
  - b. the sum actually received in cash by the borrower or, where the lender is a seller, the amount of the cash price of the goods or services less the sums, if any, actually paid as a down payment or credited in respect of a trade-in or paid or credited for any other reason,

(ii)

- (ii) in the case of variable credit, the charges made in respect of the extension of the variable credit;
- (d) "credit" means credit for which the borrower incurs a cost of borrowing and,
  - (i) given under an agreement between a seller and a buyer to purchase goods or services by which all or part of the purchase price is payable after the agreement is entered into, or
  - (ii) given by the advancement of money,but does not include credit given on the security of a mortgage of real property;
- (e) "Director" means the Director of the Registration and Examination Branch of the Department of Financial and Commercial Affairs;
- (f) "executory contract" means a contract between a buyer and a seller for the purchase and sale of goods or services in respect of which delivery of the goods or performance of the services or payment in full of the consideration is not made at the time the contract is entered into;
- (g) "goods" means personal property;
- (h) "itinerant seller" means a seller whose business includes soliciting, negotiating or arranging for the signing by a buyer, at a place other than the seller's permanent place of business, of a contract for the sale of goods or services in which credit is extended, whether personally or by his agent or employee;
- (i) "lender" means a person who extends credit;
- (j) "person" means an individual, an association of individuals, a partnership or a corporation, and includes an agent of any of them;
- (k) "Registrar" means the Registrar of the Consumer Protection Bureau;
- (l) "regulations" means the regulations made under this Act;
- (m) "seller" means a person who is in the business of selling goods or services to buyers, and includes his agent;



- (n) "trade-in" means consideration given by a buyer in a form other than money or an obligation to pay money;
- (o) "variable credit" means credit made available under an agreement whereby the lender agrees to make credit available to be used from time to time, at the option of the borrower, for the purpose of the purchase from time to time of goods or services, and, without limiting the generality of the foregoing, includes credit arrangements commonly known as revolving credit accounts, budget accounts, cyclical accounts and other arrangements of a similar nature.

**2.** This Act does not apply to the sale of a public utility <sup>Application</sup> as defined in section 1 of *The Public Utilities Act* or to any <sup>R.S.O. 1960, c. 335</sup> charge for the transmission, distribution or storage of gas as defined in *The Ontario Energy Board Act, 1964* where such <sup>1964, c. 74</sup> charge has been approved by the Ontario Energy Board.

## PART I

### REGISTRATION OF ITINERANT SELLERS

**3.—**(1) No person shall carry on business as an itinerant <sup>Registration of itinerant sellers</sup> seller unless he is registered under this Act.

(2) No person shall publish or cause to be published any <sup>Representation</sup> representation that he is registered under this Act.

**4.—**(1) The Registrar may grant registration or renewal <sup>Registration</sup> of registration to an applicant where the proposed registration is not against the public interest, and the registration may be subject to terms and conditions.

(2) Every registration and renewal of registration expires <sup>Expiry</sup> on the 31st day of December in each year.

(3) The Registrar shall not refuse to grant or refuse to <sup>Hearings</sup> renew a registration without giving the applicant an opportunity to be heard.

**5.** The Registrar may, after giving the registrant an <sup>Suspension and cancellation</sup> opportunity to be heard, suspend or cancel a registration for the breach of a term or condition upon which the registration was granted or where, in his opinion, to do so is in the public interest.

**6.** A further application for registration may be made <sup>Further application</sup> upon new or other evidence or where it is clear that material circumstances have changed.

## Reasons

**7.** Where the Registrar refuses to grant a registration or renewal of registration, or suspends or cancels a registration, he shall, upon the request of the person whose registration or right to registration is affected, give written reasons for his decision.

Address  
for service

**8.—(1)** Every applicant for registration shall state in the application an address for service in Ontario, and all notices under this Part or the regulations are sufficiently given or served for all purposes if delivered or sent by registered mail to the latest address for service so stated or as changed under subsection 2.

Notice of  
changes  
by seller

**(2)** Every registered itinerant seller shall within five days of the event notify the Registrar in writing of,

(a) any change in his address for service; and

(b) any change in the officers or members in the case of an association of individuals, a partnership or a corporation.

## Information

**9.—(1)** Where the Registrar receives a complaint in respect of a sale made by or on behalf of an itinerant seller and so requests in writing, the itinerant seller shall furnish the Registrar with such information respecting the sale as the Registrar requires.

Inspection  
of records

**(2)** For the purposes of subsection 1, the Registrar or any person designated in writing by him may at any time make an inspection of the books, documents and records of any itinerant seller.

## Access

**(3)** Upon an inspection under subsection 2, the person inspecting is entitled to free access to all books of account, cash, documents, bank accounts, vouchers, correspondence and records of every description of the itinerant seller, and no person shall withhold or destroy, conceal or refuse to furnish any information or thing required by the person inspecting for the purposes of the inspection.

Notice of  
direction,  
decision,  
etc.

**10.** The Registrar shall cause a notice of every direction, decision, order or ruling of the Registrar to be delivered to any person who in the opinion of the Registrar is affected thereby.

## Review

**11.—(1)** Any person whose registration or right to register is affected by a decision of the Registrar may, by notice in writing served upon the Registrar within thirty days after the delivery of the notice under section 10, request a hearing and review of the matter by the Director.

(2) Where a hearing and review are requested, the Director shall serve notice upon the person who requested the review notifying him of the time and place of the hearing, which shall be within thirty days of the serving of the notice under subsection 1, except with the consent of the person who requested the review. Notice of hearing

(3) Upon a review, the Director shall hear such evidence as is submitted to him that in his opinion is relevant to the matter in dispute, and all oral evidence submitted shall be taken down in writing and, together with such documentary evidence and things as are received in evidence by him, forms the record. Evidence

(4) For the purposes of a review, the Director,

(a) may administer oaths to witnesses and require them to give evidence under oath; and Power to take sworn evidence and summon witnesses

(b) may require to have issued out of the Supreme Court a writ of subpoena *ad testificandum* or a writ of subpoena *duces tecum*, which the court may issue, but no person shall be compelled under any such writ to produce any document that he would not be compellable to produce on the trial of an action.

(5) Upon a review, the Director may confirm or revoke the decision of the Registrar or may make any other decision he deems proper. Decision of Director

(6) Notice of the decision of the Director made upon a review shall be served forthwith upon the person who requested the review, together with written reasons for his decision. Notice of decision

**12.**—(1) Where the Director has reviewed a decision and given his decision upon the review, the person who requested the review may appeal to a judge of the High Court. Appeal

(2) Every appeal shall be by originating notice of motion served upon the Director within thirty days after the delivery of the notice of decision under subsection 6 of section 11. Form of appeal

(3) The Director shall certify to the Registrar of the Supreme Court, Material on appeal

(a) the decision that has been reviewed by him;

(b) his decision upon the review, together with his reasons therefor;

(c)

(c) the record of the review; and

(d) all written submissions and other material received by him in connection with the review.

**Counsel**

(4) The Attorney General may designate counsel to assist the judge upon the hearing of an appeal under this section.

**Order for  
Director's  
decision**

(5) Where an appeal is taken under this section, the judge may by his order direct the Director to make such decision as the Director is authorized to make under section 11 and as the judge deems proper, and thereupon the Director shall act accordingly.

**Appeal  
final**

(6) The order of the judge is final, but a further application for registration may be made upon new or other evidence or where it is clear that material circumstances have changed.

**Right to  
counsel**

**13.** Every person whose registration or right to registration may be affected by a hearing under this Part is entitled to be represented by counsel at the hearing.

**Offences**

**14.—(1)** Every person who,

(a) furnishes false information in any application under this Part or in any statement or return required to be furnished under this Part; or

(b) fails to comply with any order, direction or other requirement made under this Part or section 31,

is guilty of an offence punishable under section 32, but no proceedings under this section shall be commenced more than one year after the facts upon which the proceedings are based first came to the knowledge of the Registrar.

**Certificate  
as evidence**

(2) A statement as to,

(a) the registration or non-registration of any person;

(b) the filing or non-filing of any document or material required or permitted to be filed with the Registrar;

(c) the time when the facts upon which proceedings are based first came to the knowledge of the Registrar; or

(d) any other matter pertaining to such registration, non-registration, filing or non-filing, or to any such person, document or material,

purporting



purporting to be certified by the Registrar is, without proof of the office or signature of the Registrar, receivable in evidence as *prima facie* proof of the facts stated therein for all purposes in any action, proceeding or prosecution.

## PART II

### EXECUTORY CONTRACTS

**15.** This Part applies to executory contracts for the sale of goods or services where the purchase price, excluding the cost of borrowing, exceeds \$50. <sup>Application of Part</sup>

**16.**—(1) Every executory contract, other than an executory contract under an agreement for variable credit, shall be in writing and shall contain, <sup>Form of executory contract</sup>

- (a) the name and address of the seller and the buyer;
- (b) a description of the goods or services sufficient to identify them with certainty;
- (c) the price of the goods or services and a detailed statement of the terms of payment;
- (d) where credit is extended, a statement of any security for payment under the contract, including the particulars of any negotiable instrument, conditional sale agreement, chattel mortgage or any other security;
- (e) where credit is extended, the statement required to be furnished by section 21;
- (f) any warranty or guarantee applying to the goods or services and, where there is no warranty or guarantee, a statement to this effect; and
- (g) any other matter required by the regulations.

(2) An executory contract is not binding on the buyer unless the contract is made in accordance with this Part and the regulations and is signed by the parties, and a duplicate original copy thereof is in the possession of each of the parties thereto. <sup>Validity</sup>



Deposits  
in advance

**17.** Where a trade-in is delivered or money is paid, whether by way of deposit or otherwise, on account of the proposed purchase of goods or services but no binding contract is entered into in respect of the goods and no delivery of the goods or any part thereof has been made to the buyer or no performance of the services has been made, the seller shall upon the request of the buyer return such trade-in or refund in full the moneys so paid, as the case may be.

Rescission  
of certain  
executory  
contracts  
within  
two days

**18.—(1)** Where a seller solicits, negotiates or arranges for the signing by a buyer of an executory contract at a place other than the seller's permanent place of business and under which credit is extended, the buyer may rescind the contract by delivering a notice of rescission in writing to the seller within two days after the duplicate original copy of the contract first comes into the possession of the buyer, and the buyer is not liable for any damages in respect of such rescission.

Duties  
upon  
rescission

(2) Where a buyer rescinds a contract under subsection 1,

- (a) the buyer shall return any goods received under the contract at the expense of the seller; and
- (b) the seller shall return any moneys received or realized in respect of the contract, whether from the buyer or any other person, and shall return any trade-in received under the contract.

Trade-ins

(3) Where part of the consideration for the sale of goods is a trade-in, the title to the trade-in does not pass to the seller until the two-day period mentioned in subsection 1 has expired without rescission of the contract.

Delivery  
of notice

(4) A notice of rescission may be delivered personally or sent by registered mail addressed to the person to whom delivery is required to be made at the address shown in the contract, and delivery by registered mail shall be deemed to have been made at the time of mailing.

Lien on  
other goods  
not enforce-  
able

**19.** Any provision in any executory contract or in any security agreement incidental thereto under which the seller may acquire title to, possession of or any rights in any goods of the buyer, other than the goods passing to the buyer under the contract, is not enforceable.

No re-  
possession  
after two-  
thirds paid  
except by  
leave of  
judge

**20.—(1)** Where a buyer under an executory contract has paid two-thirds or more of the purchase price of the goods as fixed by the contract, any provision in the contract, or

in any security agreement incidental thereto, under which the seller may retake possession of or resell the goods upon default in payment by the buyer is not enforceable except by leave of a judge of a county or district court.

(2) Upon an application for leave under subsection 1, <sup>Powers of judge</sup> the judge may, in his absolute discretion, grant or refuse leave or grant leave upon such terms and conditions as he deems advisable.

## PART III

### CREDIT TRANSACTIONS

**21.** Except as provided in section 22, every lender shall <sup>Disclosure of cost of borrowing</sup> furnish to the borrower, before giving the credit, a clear statement in writing showing,

- (a) the sum, expressed as one sum in dollars and cents, actually received in cash by the borrower or, where the lender is a seller, the amount of the cash price of the goods or services;
- (b) where the lender is a seller, the sums, if any, actually paid as a down payment or credited in respect of a trade-in, or paid or credited for any other reason;
- (c) where the lender is a seller, the amount by which the sum stated under clause *a* exceeds the sum stated under clause *b*;
- (d) the cost of borrowing expressed as one sum in dollars and cents;
- (e) the percentage that the cost of borrowing bears to the sum stated,
  - (i) under clause *a*, where the lender is not a seller, or
  - (ii) under clause *c*, where the lender is a seller,expressed as an annual rate applied to the unpaid balance of the obligation from time to time, calculated and expressed in the manner prescribed by the regulations; and
- (f) the basis upon which additional charges are to be made in the event of default.

Interpre-  
tation

**22.**—(1) In this section, “period” means a period of time of not less than four weeks and not more than five weeks in duration.

Variable  
credit

(2) A lender extending variable credit shall,

(a) before agreeing to extend variable credit, furnish the borrower with a clear statement in writing setting forth the cost of borrowing in respect of the unpaid balances from time to time,

(i) stated as an annual percentage of such balance charged at the end of each period, subject to a minimum dollars-and-cents charge, if any, and

(ii) stated in dollars and cents in a schedule of fixed amounts of outstanding balances, and the corresponding charges for the cost of borrowing; and

(b) at the end of each period during the extension of credit, furnish the borrower with a clear statement in writing showing,

(i) the outstanding balance in the account of the borrower at the beginning of the period,

(ii) the amount and date of each extension of credit to the borrower during the period and the identity of the goods or services in respect of which the credit was extended,

(iii) the amount of each sum received or credited to the account of the borrower during the period, and the date and occasion thereof,

(iv) the cost of borrowing, expressed as one sum in dollars and cents, charged during the period,

(v) the outstanding balance in the account of the borrower at the end of the period, and

(vi) the statement referred to in clause *a*.

Manner of  
applying  
percentage  
rate

**23.** The percentage rate by which the cost of borrowing is expressed shall be applied in the manner prescribed by the regulations.

When  
costs of  
borrowing  
not re-  
coverable

**24.** A borrower is not liable to pay a lender as the cost of borrowing any sum in excess of the sum shown in the statement required by section 21 or 22 in respect of the transaction.

**25.** Where a sum remaining to be paid under an agreement <sup>Prepayment</sup> for credit is paid in full before the term of the agreement has expired,

- (a) the borrower is entitled to a proportionate credit in respect of the cost of borrowing; and
- (b) the lender is entitled to a proportionate part of the cost of lending,

in an amount determined in the manner prescribed by the regulations.

**26.**—(1) No lender shall represent, either orally or in <sup>Advertising of cost of borrowing</sup> print, or by radio or television broadcast, his charge for credit or cause such charge to be so represented unless the representation includes the full cost of borrowing and is expressed in the manner required by section 21 or 22.

(2) Where a lender represents or causes to be represented <sup>Advertising of other terms of credit</sup> in a printing, broadcast or other publication any terms of the credit agreement other than that referred to in subsection 1, the lender shall also include or cause to be included all other relevant terms of the credit transaction, including,

- (a) the sum to be actually received in cash by the borrower or the actual cash price of the goods;
- (b) the amount of the down payment;
- (c) the amount of each instalment; and
- (d) the number of instalments required to repay the total indebtedness, including the cost of borrowing.

**27.**—(1) Where a lender assigns a negotiable instrument <sup>Assign-ment of negotiable instrument</sup> given to secure credit, he shall deliver to the assignee with the negotiable instrument a copy of the statement required by section 21 and, where the lender is a seller, a copy of the contract of sale.

(2) Every assignee of a negotiable instrument who reassigns <sup>Reassign-ment of negotiable instrument</sup> the instrument shall deliver to his assignee the statement and contract of sale, if any, received by him in respect of the instrument.

(3) Where an assignee of a negotiable instrument to which <sup>Indemnity</sup> subsection 2 applies is entitled to recover on the instrument from the maker, the maker is entitled to be indemnified therefor by any assignor of the instrument who has not complied with subsection 1 or 2, as the case may be.



Order  
to pay  
indemnity

**28.**—(1) Where an assignor of a negotiable instrument is convicted of a contravention of section 27, the magistrate making the conviction may order that the person convicted is liable to indemnify the maker under subsection 3 of section 27.

Filing  
indemnity  
order in  
court

(2) Where an indemnity order is made under subsection 1 in favour of a person who is or becomes liable under a judgment of a court to an assignee of the negotiable instrument in respect of which the indemnity order was made, the person entitled to the indemnity may file the indemnity order in the court office of the court in which the judgment was issued.

Default  
judgment

(3) Upon the filing of the indemnity order, the registrar or clerk of the court shall issue a default judgment in favour of the person entitled to the indemnity and against the person required by the indemnity order to give the indemnity, and the amount of the default judgment shall be the amount of the judgment referred to in subsection 1 and costs together with the costs of issuing the default judgment, or such less amount as the person entitled to the indemnity by praecipe requests.

Setting  
aside or  
variation  
of default  
judgment

(4) Upon application therefor, a judge of the court in which the default judgment is issued may set aside the default judgment or may determine the amount of the indemnity or make an order of reference for the purpose and may vary the amount of the default judgment.

## PART IV

### GENERAL

Agreements  
and waivers  
contrary  
to Act

**29.** This Act applies notwithstanding any agreement or waiver to the contrary.

Rights of  
buyer and  
borrower  
preserved

**30.** The rights of a buyer or borrower under this Act are in addition to any rights of the buyer or borrower under any other Act or by the operation of law, and nothing in this Act shall be construed to derogate from such rights.

False  
adver-  
tising

**31.** Where in the opinion of the Registrar any seller or lender is making false, misleading or deceptive statements in any advertisement, circular, pamphlet or similar material, the Registrar may order the immediate cessation of the use of such material, and any such order is subject to review and appeal in the same manner as an order respecting registration made under Part I.

Offence

**32.**—(1) Every person who contravenes this Act or the regulations and every director or officer of a corporation who knowingly concurs in a contravention of this Act or the regu-

lations



lations are guilty of an offence and on summary conviction are liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

(2) Where a corporation is convicted of an offence under <sup>Corporations</sup> subsection 1, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

(3) Subject to subsection 1 of section 14, no proceeding <sup>Limitation</sup> under this section shall be instituted more than three years after the time when the subject-matter of the proceeding arose.

**33.** The Lieutenant Governor in Council may make <sup>Regulations</sup> regulations,

- (a) respecting the method of registration of itinerant sellers and of renewal of registration;
- (b) requiring itinerant sellers or any class thereof to be bonded in such form and terms and with such collateral security as are prescribed, and providing for the forfeiture of bonds and the disposition of the proceeds;
- (c) requiring the payment of fees on application for registration as an itinerant seller or for renewal of such registration, and prescribing the amounts thereof;
- (d) prescribing the form of executory contracts and statement of the cost of borrowing and the size, type and colour of lettering used in any provision thereof;
- (e) requiring and governing the maintenance of trust accounts by sellers or any class thereof, and prescribing the moneys that shall be held in trust and the terms and conditions thereof;
- (f) prescribing the manner in which the cost of borrowing stated as a percentage shall be calculated, expressed and applied;
- (g) prescribing the manner of determining the apportionment of the cost of borrowing for the purposes of section 25;
- (h) exempting any class of buyer, seller, itinerant seller, lender or borrower from the application of this Act or any provision thereof;
- (i) prescribing forms and providing for their use, and requiring the information in any form to be verified by affidavit;

(j)

- (j) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Commence-  
ment

**34.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**35.** This Act may be cited as *The Consumer Protection Act, 1966*.

## CHAPTER 24

**An Act to establish and provide for the Duties of a Consumer Protection Bureau**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) There shall be a branch of the Department of Financial and Commercial Affairs, to be known as the Consumer Protection Bureau, which shall consist of the Registrar of the Consumer Protection Bureau and such other officers and employees as are deemed necessary.

Consumer  
Protection  
Bureau  
established

(2) The Consumer Protection Bureau shall,

Duties of  
Consumer  
Protection  
Bureau

- (a) disseminate information for the purpose of educating and advising consumers respecting consumer protection and lending and borrowing practices;
- (b) promote and assist existing counselling services in respect of consumer credit;
- (c) receive and investigate complaints of conduct in contravention of legislation for the protection of consumers;
- (d) enforce legislation for the protection of consumers; and
- (e) perform any other duties given to it by any Act.

**2.** The moneys required for the purposes of this Act shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

Moneys

**3.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-  
ment

**4.** This Act may be cited as *The Consumer Protection Bureau Act, 1966*.

Short title



CHAPTER 25

An Act to amend  
The Conveyancing and Law of Property Act

*Assented to, except section 2, April 6th, 1966*  
*Section 2 assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 13 of *The Conveyancing and Law of Property Act* is amended by striking out “parent” in the first line and inserting in lieu thereof “patent”.

R.S.O. 1960,  
c. 66, s. 13,  
subs. 1,  
amended
2. Section 64 of *The Conveyancing and Law of Property Act* is repealed.

R.S.O. 1960,  
c. 66, s. 64,  
repealed
3. This Act may be cited as *The Conveyancing and Law of Property Amendment Act, 1966*.

Short title





## CHAPTER 26

## An Act to amend The Co-operative Loans Act

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of section 1 of *The Co-operative Loans Act* R.S.O. 1960, c. 67, s. 1, cl. *d*, re-enacted is repealed and the following substituted therefor:

(*d*) "Minister" means the Minister of Agriculture and Food.

**2.** Subsection 1 of section 4 of *The Co-operative Loans Act* R.S.O. 1960, c. 67, s. 4, subs. 1, amended is amended by striking out "to exceed the sum of \$100,000" in the fifth and sixth lines and inserting in lieu thereof "shall a loan be made that would result in the co-operative association's total indebtedness under this Act exceeding \$100,000", so that the subsection shall read as follows:

(1) The Lieutenant Governor in Council may make a Power to make loans loan to any co-operative association to enable it to carry out its objects to an amount not exceeding 50 per cent of the value of the real property of the co-operative association on which the loan is to be made, but in no case shall a loan be made that would result in the co-operative association's total indebtedness under this Act exceeding \$100,000.

**3.** *The Co-operative Loans Act* is amended by adding thereto R.S.O. 1960, c. 67, amended the following section:

5a.—(1) Where a co-operative association sells its interest in lands that are subject to a mortgage under this Act to any person, all moneys owing respecting such mortgage both as to principal and interest to the date of the sale thereupon become due and payable unless the Minister approves the assumption of the mortgage by the purchaser, and such approval may be on such terms and conditions as the Minister determines. Assumption of mortgage on sale

Releases re  
original  
mortgagor

- (2) Where the assumption of a mortgage is approved under subsection 1, the Treasurer may make such releases and discharges as he deems proper respecting the liabilities of the co-operative association that sold its interest in the lands.

Mortgage  
assumed  
may increase  
total  
beyond  
maximum

- (3) An approval of the assumption of a mortgage under subsection 1 shall be deemed not to be the making of a loan to the purchaser for the purposes of section 4.

Commence-  
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Co-operative Loans Amendment Act, 1966*.

## CHAPTER 27

## An Act to amend The Coroners Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Section 1 of *The Coroners Act*, as amended by section 1 of *The Coroners Amendment Act, 1960-61*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 69, s. 1,  
re-enacted

1.—(1) The Lieutenant Governor in Council may appoint one or more coroners for Ontario or any part thereof who, subject to subsections 2 and 3, shall hold office during pleasure. Appoint-  
ment of  
coroners

(2) A coroner ceases to hold office, Tenure

(a) upon attaining the age of seventy years; or

(b) where he is a member of the College of Physicians and Surgeons of Ontario, upon the erasure of his name from the register under *The Medical Act*. R.S.O. 1960,  
c. 234

(3) The appointment of a coroner who is a member of the College of Physicians and Surgeons is suspended during any period that his registration is suspended under *The Medical Act*. Suspension

(2) Clause *a* of subsection 2 of section 1 of *The Coroners Act*, as re-enacted by subsection 1, does not apply to a coroner holding office immediately before this Act comes into force until the 1st day of January, 1967. Application

**2.** *The Coroners Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 69,  
amended

7a. No person shall knowingly obstruct a coroner in the execution of his duties. Obstruction  
of coroner

R.S.O. 1960,  
c. 69,  
amended

**3.** *The Coroners Act* is amended by adding thereto the following section:

Shipment  
of bodies  
outside  
Ontario

8a.—(1) No person shall accept for shipment or ship a dead body from any place in Ontario to any place outside Ontario unless a certificate of a coroner has been obtained certifying that there exists no reason for further examination of the body.

Fee for  
certificate

(2) An applicant for a certificate under subsection 1 shall pay to the coroner such fee as is prescribed by the Lieutenant Governor in Council by regulation.

Embalming,  
etc.  
prohibited

(3) No person who has reason to believe that a dead body will be shipped to a place outside Ontario shall embalm or make any alteration to the body or apply any chemical to the body, internally or externally, until the certificate required by subsection 1 has been issued.

R.S.O. 1960,  
c. 69, s. 9,  
re-enacted

**4.** Section 9 of *The Coroners Act* is repealed and the following substituted therefor:

Offence

9. Every person who contravenes section 7, 7a, 8 or 8a is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than six months, or to both.

R.S.O. 1960,  
c. 69, s. 10,  
subs. 2,  
amended

**5.** Subsection 2 of section 10 of *The Coroners Act* is amended by inserting after "attorney" in the second line "or supervising coroner", so that the subsection shall read as follows:

Experts

(2) The coroner may, with the consent of the Crown attorney or supervising coroner, employ experts to assist him in the investigation.

R.S.O. 1960,  
c. 69, s. 21,  
re-enacted

**6.** Section 21 of *The Coroners Act* is repealed and the following substituted therefor:

Deaths to  
be reported

21. Where a person dies while resident or an in-patient in,

1962-63,  
c. 11

(a) a charitable institution as defined in *The Charitable Institutions Act, 1962-63*;

R.S.O. 1960,  
c. 54

(b) a children's boarding home as defined in *The Children's Boarding Homes Act*;

1962-63,  
c. 14

(c) a children's institution as defined in *The Children's Institutions Act, 1962-63*;

(d)



- (d) a hospital under *The Children's Mental Hospitals Act*; R.S.O. 1960, c. 56
- (e) a home for the aged to which *The Homes for the Aged Act* applies; R.S.O. 1960, c. 174
- (f) a home for retarded children as defined in *The Homes for Retarded Children Act, 1962-63*; 1962-63, c. 57
- (g) a hospital, institution or home established or approved under *The Mental Hospitals Act*, or a detention unit, examination unit or observation unit in a public hospital approved under that Act; R.S.O. 1960, c. 236
- (h) a nursing home to which *The Nursing Homes Act, 1966* applies; 1966, c. 99
- (i) a sanitarium as defined in *The Private Sanitaria Act*; R.S.O. 1960, c. 307
- (j) a public or private hospital to which the person was transferred from a hospital, institution or home referred to in clauses *a* to *i*,

the person in charge of the hospital, institution or home shall immediately give notice of the death to a coroner, and the coroner shall investigate the circumstances of the death and, if as a result of the investigation he is of the opinion that an inquest ought to be held, he shall issue his warrant and hold an inquest upon the body.

**7.** Subsection 3 of section 25 of *The Coroners Act* is amended R.S.O. 1960, c. 69, s. 25, subs. 3, amended by striking out "\$40" in the third line and inserting in lieu thereof "\$500" and by striking out "\$10" in the third line and inserting in lieu thereof "\$100", so that the subsection shall read as follows:

- (3) A fine imposed for non-attendance or refusal to give evidence shall not, in the case of a medical practitioner, exceed \$500, and in the case of any other witness shall not exceed \$100. Fine for non-attendance

**8.** Subsection 2 of section 26 of *The Coroners Act* is amended R.S.O. 1960, c. 69, s. 26, subs. 2, amended by striking out "\$20" in the third line and inserting in lieu thereof "\$100", so that the subsection shall read as follows:

- (2) Where a person duly summoned to serve as a juror does not attend, the coroner may impose upon him a fine of not more than \$100. Penalty for non-attendance

R.S.O. 1960,  
c. 69, s. 37,  
subs. 6,  
amended

**9.**—(1) Subsection 6 of section 37 of *The Coroners Act* is amended by striking out “upon the scale appointed for shorthand writers under *The County Judges Act*” in the second and third lines and inserting in lieu thereof “those set out in Schedule E”, so that the subsection shall read as follows:

steno-  
graphers’

(6) Stenographers’ fees for services rendered in connection with an inquest shall be those set out in Schedule E, and when certified by the coroner shall be paid in the same way as witness fees.

R.S.O. 1960,  
c. 69, s. 37,  
amended

(2) The said section 37 is amended by adding thereto the following subsection:

experts’

(9) The fees for an expert appointed to assist a coroner in an investigation shall be such as are determined by the supervising coroner and, when certified by the Crown attorney, shall be paid in the same way as witness fees, but, where the fees exceed \$100, they are subject to the approval of the Deputy Attorney General.

R.S.O. 1960,  
c. 69, s. 43,  
amended

**10.** Section 43 of *The Coroners Act* is amended by adding thereto the following clause:

(d) prescribing fees for the purposes of section 8a.

R.S.O. 1960,  
c. 69,  
Sched. A,  
item 1  
(1960-61,  
c. 12, s. 13),  
re-enacted

**11.** Item 1 of Schedule A to *The Coroners Act*, as re-enacted by section 13 of *The Coroners Amendment Act, 1960-61*, is repealed and the following substituted therefor:

1. For all services on an investigation . . . . . \$25.00

R.S.O. 1960,  
c. 69,  
Sched. C,  
item 3,  
amended

**12.** Item 3 of Schedule C to *The Coroners Act* is amended by inserting after “witness” in the first line “including the medical practitioner who performed the autopsy”, so that the item shall read as follows:

3. For every day of attendance of an expert witness, including the medical practitioner who performed the autopsy, such fee not exceeding \$30 as the coroner deems proper or such greater fee as the Attorney General or the Deputy Attorney General approves.

R.S.O. 1960,  
c. 69,  
Sched. D,  
item 1  
(1961-62,  
c. 20, s. 2),  
re-enacted;  
item 2,  
repealed

**13.**—(1) Item 1, as re-enacted by section 2 of *The Coroners Amendment Act, 1961-62*, and item 2 of Schedule D to *The Coroners Act* are repealed and the following substituted therefor:

1. For a *post mortem* examination, including necessary microscopic sections to prove diagnosis and the services of an assistant where necessary . . . . . \$100.00

(2) Item 6 of the said Schedule D, as enacted by section 16 of *The Coroners Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 69,  
Sched. D,  
item 6  
(1965, c. 20,  
s. 16),  
re-enacted

6. For transporting a dead body for further investigation upon the authorization of the coroner, \$15 or 30 cents a mile necessarily travelled each way, whichever is the greater.

**14.** *The Coroners Act* is amended by adding thereto the following Schedule:

R.S.O. 1960,  
c. 69,  
amended

## SCHEDULE E

### *Stenographers*

1. For each day or part thereof actively engaged in one inquest, \$20; or \$5 an hour, whichever is the greater.
2. For copies of shorthand evidence, the same fees as are prescribed for court reporters under *The County Judges Act*.

**15.**—(1) This Act, except section 6, comes into force on the day it receives Royal Assent.

Commence-  
ment

(2) Section 6 comes into force on the 1st day of September, 1966.

Idem

**16.** This Act may be cited as *The Coroners Amendment Act, 1966*.

Short title



## CHAPTER 28

## An Act to amend The Corporations Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Corporations Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 71, s. 1,  
amended

(aa) "Commission" means the Ontario Securities Commission.

**2.** Subsection 2 of section 3 of *The Corporations Act* is amended by inserting after "shareholders" in the tenth and eleventh lines "exclusive of persons who are in the employment of the company" and by inserting after "five" in the twelfth line "two or more persons holding one or more shares jointly being counted as a single shareholder", so that the subsection shall read as follows: R.S.O. 1960,  
c. 71, s. 3,  
subs. 2,  
amended

(2) Notwithstanding subsection 1, a private company may be incorporated under this Act with power to lend and invest money on mortgage of real estate or otherwise, or with power to accept and execute the office of liquidator, receiver, assignee, trustee in bankruptcy or trustee for the benefit of creditors and to accept the duty of and to act generally in the winding up of corporations, partnerships and estates, other than estates of deceased persons, and shall not by reason thereof be deemed to be a corporation within the meaning of *The Loan and Trust Corporations Act*, but the number of its shareholders, exclusive of persons who are in the employment of the company, shall be limited by its letters patent or supplementary letters patent to five, two or more persons holding one or more shares jointly being counted as a single shareholder, and no such company shall issue securities except to its shareholders, or borrow money on the security of its property except from its shareholders, or receive money on deposit. Incorporation of  
private  
company  
with limited  
objects  
  
R.S.O. 1960,  
c. 222



R.S.O. 1960,  
c. 71, s. 71,  
re-enacted

3. Section 71 of *The Corporations Act* is repealed and the following substituted therefor:

Interpre-  
tation

71.—(1) In this section and in sections 71a to 71f,

- (a) “affiliate” means an affiliated company within the meaning of subsection 3 of section 90;
- (b) “associate”, where used to indicate a relationship with any person, means,
  - (i) any company of which such person beneficially owns, directly or indirectly, equity shares carrying more than 10 per cent of the voting rights attached to all equity shares of the company for the time being outstanding,
  - (ii) any trust or estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar capacity, or
  - (iii) any relative or spouse of such person or any relative of such spouse who, in any such case, has the same home as such person;
- (c) “capital security” means any share of any class of shares of a company or any bond, debenture, note or other obligation of a company, whether secured or unsecured;
- (d) “equity share” means any share of any class of shares of a company carrying voting rights under all circumstances and any share of any class of shares carrying voting rights by reason of the occurrence of any contingency that has occurred and is continuing;
- (e) “insider” or “insider of a company” means,
  - (i) any director or senior officer of a public company that has fifteen or more shareholders, two or more persons who are the joint registered owners of one or more shares being counted as one shareholder, or
  - (ii) any person who beneficially owns, directly or indirectly, equity shares of

such

such a company carrying more than 10 per cent of the voting rights attached to all equity shares of the company for the time being outstanding, provided that in computing the percentage of voting rights attached to equity shares owned by an underwriter there shall be excluded any equity shares that have been acquired by him as underwriter in the course of distribution to the public of such shares, but such exclusion ceases to have effect on completion or cessation of the distribution to the public by him;

(f) "senior officer" means,

- (i) the chairman or any vice-chairman of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a company or any other individual who performs functions for the company similar to those normally performed by an individual occupying any such office, and
- (ii) each of the five highest paid employees of a company, including any individual referred to in subclause i;

(g) "underwriter" has the same meaning as in *The Securities Act, 1966*.

1966, c. 142

(2) For the purposes of this section and sections 71a to 71f, <sup>Idem</sup>

- (a) every director or senior officer of a company that is itself an insider of another company shall be deemed to be an insider of such other company;
- (b) an individual shall be deemed to own beneficially capital securities beneficially owned by a company controlled by him or by an affiliate of such company;
- (c) a company shall be deemed to own beneficially capital securities beneficially owned by its affiliates; and

(d)

- (d) the acquisition or disposition by an insider of a put, call or other transferable option with respect to a capital security shall be deemed a change in the beneficial ownership of the capital security to which such transferable option relates.

Insiders  
to report  
holdings  
to O.S.C.

71a.—(1) A person who is an insider of a company on the day on which this section comes into force shall, within ten days after the end of the month in which such day occurs, file with the Commission a report, as of such day, of his direct or indirect beneficial ownership of capital securities of the company.

Idem

- (2) A person who, after the day on which this section comes into force, becomes an insider of a company shall, within ten days after the end of the month in which he becomes an insider, file with the Commission a report, as of the day on which he became an insider, of his direct or indirect beneficial ownership of capital securities of the company.

Idem

- (3) If a person who is an insider of a company, but has no direct or indirect beneficial ownership of capital securities of the company, acquires direct or indirect beneficial ownership of any such securities, he shall, within ten days after the end of the month in which he acquired such direct or indirect beneficial ownership, file with the Commission a report, as of the date of such acquisition, of his direct or indirect beneficial ownership of capital securities of the company.

Subsequent  
reports of  
changes

- (4) A person who has filed or is required to file a report under subsection 1, 2 or 3 and whose direct or indirect beneficial ownership of capital securities of the company changes from that shown or required to be shown in such report or in the last report filed by him under this subsection shall, within ten days following the end of the month in which such change takes place, provided that he was an insider of the company at any time during such month, file with the Commission a report of his direct or indirect beneficial ownership of capital securities of the company at the end of such month and the change or changes therein that occurred during the month and giving such details of each transaction as may be required by the regulations made under section 71f.

- 71b.—(1) All reports filed with the Commission under section 71a shall be open to public inspection at the offices of the Commission during normal business hours of the Commission, and any person may make extracts from such reports. <sup>Reports may be inspected</sup>
- (2) The Commission shall summarize in or as part of a monthly periodical for distribution to the public on payment of a reasonable fee therefor the information contained in the reports so filed. <sup>Publication of information contained in reports</sup>
- 71c.—(1) Every person who is required to file a report under section 71a and who fails so to do is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where such person is a company, every director or officer of such company who authorized, permitted or acquiesced in such failure is also guilty of an offence and on summary conviction is liable to a like fine. <sup>Offence</sup>
- (2) Every person who files a report under section 71a that is false or misleading by reason of the misstatement or omission of a material fact is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where such person is a company, every director or officer of such company who authorized, permitted or acquiesced in the filing of such false or misleading report is also guilty of an offence and on summary conviction is liable to a like fine. <sup>Idem</sup>
- (3) No person is guilty of an offence under subsection 2 if he did not know and in the exercise of reasonable diligence could not have known that the report was false or misleading by reason of the misstatement or omission of a material fact. <sup>Saving</sup>
- (4) No prosecution shall be brought under subsection 1 or 2 without the consent of the Commission. <sup>Consent to prosecute</sup>
- (5) Whenever it appears to the Commission that any person has failed to comply with section 71a, it may in its discretion apply to a judge of the High Court designated by the Chief Justice of the High Court for an order requiring such person to comply therewith. <sup>Order requiring report</sup>
- (6) An appeal lies to the Court of Appeal from an order made under subsection 5. <sup>Appeal</sup>



Liability  
of insiders

71*d*.—(1) Every insider of a company or associate or affiliate of such insider, who, in connection with a transaction relating to the capital securities of the company, makes use of any specific confidential information for his own benefit or advantage that, if generally known, might reasonably be expected to affect materially the value of such securities, is liable to compensate any person for any direct loss suffered by such person as a result of such transaction, unless such information was known or ought reasonably to have been known to such person at the time of such transaction, and is also accountable to the company for any direct benefit or advantage received or receivable by such insider, associate or affiliate, as the case may be, as a result of such transaction.

Limitation  
period

(2) An action to enforce any right created by subsection 1 may be commenced only within two years after the date of completion of the transaction that gave rise to the cause of action.

Order to  
commence  
action

71*e*.—(1) Upon application by any person who was at the time of a transaction referred to in subsection 1 of section 71*d* or is at the time of the application an owner of capital securities of the company, a judge of the High Court designated by the Chief Justice of the High Court may, if satisfied that,

(a) such person has reasonable grounds for believing that the company has a cause of action under section 71*d*; and

(b) either,

(i) the company has refused or failed to commence an action under section 71*d* within sixty days after receipt of a written request from such person so to do, or

(ii) the company has failed to prosecute diligently an action commenced by it under section 71*d*,

make an order, upon such terms as to security for costs and otherwise as to the judge seems fit, requiring the Commission to commence or continue an action in the name of and on behalf of the company to enforce the liability created by section 71*d*.



(2) The company and the Commission shall be given <sup>Notice to company and O.S.C.</sup> notice of any application under subsection 1 and shall have the right to appear and be heard thereon.

(3) Every order made under subsection 1 shall provide <sup>Order to require company to co-operate</sup> that the company shall co-operate fully with the Commission in the institution and prosecution of such action and shall make available to the Commission all books, records, documents and other material or information known to the company or reasonably ascertainable by the company relevant to such action.

(4) An appeal lies to the Court of Appeal from an order <sup>Appeal</sup> made under subsection 1.

71f. The Lieutenant Governor in Council may make <sup>Regulations</sup> regulations,

(a) prescribing the form and content of the reports required to be filed under section 71a;

(b) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of sections 71 to 71e.

4. Section 75 of *The Corporations Act* is repealed and the <sup>R.S.O. 1960, c. 71, s. 75, re-enacted</sup> following substituted therefor:

75. In this section and in sections 75a to 75g, <sup>Interpretation</sup>

(a) "form of proxy" means a written or printed form that, upon completion and execution by or on behalf of a shareholder, becomes a proxy;

(b) "information circular" means the circular referred to in subsection 1 of section 75c;

(c) "proxy" means a completed and executed form of proxy by means of which a shareholder has appointed a person as his nominee to attend and act for him and on his behalf at a meeting of shareholders;

(d) "solicit" and "solicitation" include,

(i) any request for a proxy whether or not accompanied by or included in a form of proxy,

(ii)

- (ii) any request to execute or not to execute a form of proxy or to revoke a proxy,
- (iii) the sending or delivery of a form of proxy or other communication to a shareholder under circumstances reasonably calculated to result in the procurement, withholding or revocation of a proxy, and
- (iv) the sending or delivery of a form of proxy to a shareholder pursuant to section 75*b*,

but do not include,

- (v) the sending or delivery of a form of proxy to a shareholder in response to an unsolicited request made by him or on his behalf, or
- (vi) the performance by any person of ministerial acts or professional services on behalf of a person soliciting a proxy.

#### Proxies

75*a*.—(1) Every shareholder, including a shareholder that is a corporation, entitled to vote at a meeting of shareholders may by means of a proxy appoint a person, who need not be a shareholder, as his nominee to attend and act at the meeting in the manner, to the extent and with the power conferred by the proxy.

#### Execution and termination

- (2) A proxy shall be executed by the shareholder or his attorney authorized in writing or, if the shareholder is a corporation, under its corporate seal or by an officer or attorney thereof duly authorized, and ceases to be valid one year from its date.

#### Contents

- (3) In addition to the requirements, where applicable, of section 75*e*, a proxy shall contain the date thereof and the appointment and name of the nominee and may contain a revocation of a former proxy and restrictions, limitations or instructions as to the manner in which the shares in respect of which the proxy is given are to be voted or that may be necessary to comply with the laws of any jurisdiction in which the shares of the company are listed on a stock exchange or a restriction or limitation as to the number of shares in respect of which the proxy is given.

- (4) In addition to revocation in any other manner permitted by law, a proxy may be revoked by instrument in writing executed by the shareholder or by his attorney authorized in writing or, if the shareholder is a corporation, under its corporate seal or by an officer or attorney thereof duly authorized, and deposited either at the head office of the company at any time up to and including the last business day preceding the day of the meeting, or any adjournment thereof, at which the proxy is to be used or with the chairman of such meeting on the day of the meeting, or adjournment thereof, and upon either of such deposits the proxy is revoked. <sup>Revocation</sup>
- (5) The directors may by resolution fix a time not exceeding forty-eight hours, excluding Saturdays and holidays, preceding any meeting or adjourned meeting of shareholders before which time proxies to be used at that meeting must be deposited with the company or an agent thereof, and any period of time so fixed shall be specified in the notice calling the meeting or in the information circular relating thereto. <sup>Time limit for deposit</sup>
- 75b.—(1) Subject to section 75d, the management of a company shall, concurrently with or prior to giving notice of a meeting of shareholders of the company, send by prepaid mail to each shareholder who is entitled to vote at such meeting at his last address as shown on the books of the company a form of proxy for use at such meeting that complies with section 75e. <sup>Mandatory solicitation of proxies</sup>
- (2) If the management of a company fails to comply with subsection 1, the company is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and every director or officer of the company who authorized, permitted or acquiesced in such failure is also guilty of an offence and on summary conviction is liable to a like fine. <sup>Offence</sup>
- 75c.—(1) Subject to subsection 2 and section 75d, no person shall solicit proxies unless, <sup>Information circular</sup>
- (a) in the case of a solicitation by or on behalf of the management of a company, an information circular, either as an appendix to or as a separate document accompanying the notice of the meeting, is sent by prepaid mail to each shareholder of the company whose proxy is solicited at his last address as shown on the books of the company; or

(b)

- (b) in the case of any other solicitation, the person making the solicitation, concurrently with or prior thereto, delivers or sends an information circular to each shareholder of the company whose proxy is solicited.

Where  
subs. 1  
does not  
apply

- (2) Subsection 1 does not apply to,

- (a) any solicitation, otherwise than by or on behalf of the management of a company, where the total number of shareholders whose proxies are solicited is not more than fifteen, two or more persons who are the joint registered owners of one or more shares being counted as one shareholder;

1966, c. 142

- (b) any solicitation by a person made pursuant to section 79 of *The Securities Act, 1966*; and

- (c) any solicitation by a person in respect of shares of which he is the beneficial owner.

Offence

- (3) A person who fails to comply with subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where such person is a company, every director or officer of such company who authorized, permitted or acquiesced in such failure is also guilty of an offence and on summary conviction is liable to a like fine.

Idem

- (4) A person who effects a solicitation that is subject to this section by means of a form of proxy, information circular or other communication that contains an untrue statement of a material fact or omits to state a material fact necessary in order to make any statement contained therein not misleading in the light of the circumstances in which it was made is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where such person is a company, every director or officer of such company who authorized, permitted or acquiesced in such offence is also guilty of an offence and on summary conviction is liable to a like fine.

Saving

- (5) No person is guilty of an offence under subsection 4 in respect of any untrue statement of a material fact or omission to state a material fact in a form of proxy or information circular, if the untruth of such statement or the fact of such omission was not known to the person who effected the solicitation and in the exercise of reasonable diligence could not have been known to such person.



- 75*d*.—(1) Section 75*b* and subsection 1 of section 75*c* do <sup>Where s. 75*b* and s. 75*c*, subs. 1, do not apply</sup> not apply to a private company or to a public company that has fewer than fifteen shareholders, two or more persons who are the joint registered owners of one or more shares being counted as one shareholder.
- (2) Upon the application of any interested person, a <sup>Exemption orders</sup> judge of the High Court designated by the Chief Justice of the High Court may, if satisfied that in the circumstances of the particular case there is adequate justification for so doing, make an order, on such terms and conditions as seem to the judge just and expedient, exempting, in whole or in part, any person from the requirements of section 75*b* or from the requirements of subsection 1 of section 75*c*.
- (3) The applicant shall give the Commission notice of <sup>Notice to O.S.C.</sup> an application under subsection 2 and the Commission has the right to appear and be heard thereon.
- (4) An appeal lies to the Court of Appeal from an order <sup>Appeal</sup> made under subsection 2.
- 75*e*. Where section 75*b* or 75*c* is applicable to a solicitation of proxies, <sup>Special form of proxy</sup>
- (a) the form of proxy sent to a shareholder by a person soliciting proxies,
    - (i) shall indicate in bold-face type whether or not the proxy is solicited by or on behalf of the management of the company, and
    - (ii) shall provide a specifically designated blank space for dating the form of proxy;
  - (b) the form of proxy shall provide means whereby the person whose proxy is solicited is afforded an opportunity to specify that the shares registered in his name shall be voted by the nominee in favour of or against, in accordance with such person's choice, each matter or group of related matters identified therein or in the information circular as intended to be acted upon, other than the election of directors and the appointment of auditors, provided that a proxy may confer discretionary authority with respect to matters as to which a choice is not so specified by such means if



the form of proxy or the information circular states in bold-face type how it is intended to vote the shares represented by the proxy in each such case;

(c) a proxy may confer discretionary authority with respect to,

(i) amendments or variations to matters identified in the notice of meeting, or

(ii) other matters which may properly come before the meeting,

provided that,

(iii) the person by whom or on whose behalf the solicitation is made is not aware a reasonable time prior to the time the solicitation is made that any such amendments, variations or other matters are to be presented for action at the meeting, and

(iv) a specific statement is made in the information circular or in the form of proxy that the proxy is conferring such discretionary authority;

(d) no proxy shall confer authority,

(i) to vote for the election of any person as a director of the company unless a *bona fide* proposed nominee for such election is named in the information circular, or

(ii) to vote at any meeting other than the meeting specified in the notice of meeting or any adjournment thereof;

(e) the information circular or form of proxy shall state that the shares represented by the proxy will be voted and that, where the person whose proxy is solicited specifies a choice with respect to any matter to be acted upon pursuant to clause *b*, the shares shall, subject to section 75f, be voted in accordance with the specifications so made;

(f)

(f) the information circular or form of proxy shall indicate in bold-face type that the shareholder has the right to appoint a person to attend and act for him and on his behalf at the meeting other than the person, if any, designated in the form of proxy, and shall contain instructions as to the manner in which the shareholder may exercise such right; and

(g) if the form of proxy contains a designation of a named person as nominee, means shall be provided whereby the shareholder may designate in a form of proxy some other person as his nominee for the purpose of subsection 1 of section 75a.

75f. If the aggregate number of shares represented at a meeting by proxies required to be voted for or against a particular matter or group of matters carries, to the knowledge of the chairman of the meeting, less than 5 per cent of the voting rights attached to the shares entitled to vote and represented at the meeting, the chairman of the meeting has the right not to conduct a vote by way of ballot on any such matter or group of matters unless a poll is demanded at the meeting.

Where vote  
by ballot not  
required

75g. The Lieutenant Governor in Council may make such regulations respecting the form and content of an information circular as he considers necessary or appropriate in the public interest.

Regulations  
re contents  
of informa-  
tion circular

5. Section 76 of *The Corporations Act* is repealed.

R.S.O. 1960,  
c. 71, s. 76,  
repealed

6.—(1) Subsection 2 of section 82 of *The Corporations Act*, as amended by section 2 of *The Corporations Amendment Act, 1964*, is further amended by inserting after "statement" in the second line "other than the part thereof that relates to the period referred to in subclause ii of clause aa of subsection 1 of section 83", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 71, s. 82,  
subs. 2,  
amended

(2) The auditor shall make a report to the shareholders on the financial statement, other than the part thereof that relates to the period referred to in subclause ii of clause aa of subsection 1 of section 83, to be laid before the company at any annual meeting during his term of office and shall state in his report whether in his opinion the financial statement referred to therein presents fairly the financial position of the company and the results of its operations for the period under

Auditor's  
report

review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.

R.S.O. 1960,  
c. 71, s. 82,  
amended

(2) The said section 82 is amended by adding thereto the following subsection:

Idem

(2a) If the financial statement contains a statement of source and application of funds, the auditor shall include in his report a statement whether in his opinion, in effect, the statement of source and application of funds presents fairly the information shown therein.

R.S.O. 1960,  
c. 71, s. 83,  
subs. 1, cl. a,  
re-enacted

7.—(1) Clause *a* of subsection 1 of section 83 of *The Corporations Act* is repealed and the following substituted therefor:

(a) in the case of a private company, a financial statement for the period that commenced on the date of incorporation and ended not more than six months before such annual meeting or, if the company has completed a financial year, that commenced immediately after the end of the last completed financial year and ended not more than six months before such annual meeting, as the case may be, made up of,

(i) a statement of profit and loss for such period,

(ii) a statement of surplus for such period, and

(iii) a balance sheet as at the end of such period;

(aa) in the case of a public company, a comparative financial statement relating separately to,

(i) the period that commenced on the date of incorporation and ended not more than six months before such annual meeting or, if the company has completed a financial year, that commenced immediately after the end of the last completed financial year and ended not more than six months before such annual meeting, as the case may be, and

(ii) the period covered by the financial year next preceding such latest completed financial year, if any,

made up of,

(iii) a statement of profit and loss for each period,

(iv)

- (iv) a statement of surplus for each period,
- (v) a statement of source and application of funds for each period, and
- (vi) a balance sheet as at the end of each period.

(2) Subsection 2 of the said section 83 is repealed and the following substituted therefor: R.S.O. 1960, c. 71, s. 83, subs. 2, re-enacted

- (2) It is not necessary to designate the statements referred to in subsection 1 as the statement of profit and loss, statement of surplus, statement of source and application of funds and balance sheet. Designation of statements

(3) The said section 83 is amended by adding thereto the following subsections: R.S.O. 1960, c. 71, s. 83, amended

- (4) Notwithstanding clause *aa* of subsection 1, the financial statement referred to in such clause may relate only to the period that ended not more than six months before the annual meeting if the reason for the omission of the statement in respect of the period covered by the previous financial statement is set out in the financial statement to be laid before such meeting or by way of note thereto. Omission of comparative statement

- (5) Notwithstanding subclause *v* of clause *aa* of subsection 1, the statement of source and application of funds may be omitted if the reason for such omission is set out in the financial statement or by way of note thereto. Omission of source and application statement

**8.**—(1) Subsection 1 of section 84 of *The Corporations Act* is amended by relettering clause *a* as clause *aa* and by adding thereto the following clause: R.S.O. 1960, c. 71, s. 84, subs. 1, amended

- (a) in the case of a public company, sales or gross operating revenue.

- (2) Clause *i* of subsection 1 of the said section 84 is repealed. R.S.O. 1960, c. 71, s. 84, subs. 1, cl. i, repealed

(3) Subsection 2 of the said section 84 is amended by striking out “clauses *f*, *g* and *i*” in the second line and inserting in lieu thereof “clauses *f* and *g*”. R.S.O. 1960, c. 71, s. 84, subs. 2, amended

(4) The said section 84 is amended by adding thereto the following subsections: R.S.O. 1960, c. 71, s. 84, amended



Order for  
omission  
of sales  
or gross  
operating  
revenue

- (3) A public company may apply to a judge of the High Court designated by the Chief Justice of the High Court for an order permitting sales or gross operating revenue referred to in clause *a* of subsection 1 or subclause *i* of clause *b* of subsection 1 of section 93*a* to be omitted from the statement of profit and loss or the interim financial statement, as the case may be, and the judge may, on such terms and conditions as he may impose, permit such omission where he is satisfied that in the circumstances the disclosure of such information would be unduly detrimental to the interests of the company.

Notice to  
O.S.C.

- (4) The applicant shall give the Commission notice of an application under subsection 3 and the Commission has the right to appear and be heard thereon.

Appeal

- (5) An appeal lies to the Court of Appeal from an order made under subsection 3.

R.S.O. 1960,  
c. 71,  
amended

9. *The Corporations Act* is amended by adding thereto the following section:

Statement  
of source and  
application  
of funds

- 85*a*. The statement of source and application of funds referred to in subclause *v* of clause *aa* of subsection 1 of section 83 and clause *a* of subsection 1 of section 93*a* shall be drawn up so as to present fairly the information shown therein for the period, and shall show separately at least,

(*a*) funds derived from,

- (i) current operations,
- (ii) sale of non-current assets, segregating investments, fixed assets and intangible assets,
- (iii) issue of securities or other indebtedness maturing more than one year after issue, and
- (iv) issue of shares; and

(*b*) funds applied to,

- (i) purchase of non-current assets, segregating investments, fixed assets and intangible assets,
- (ii) redemption or other retirement of securities or repayment of other indebtedness maturing more than one year after issue,

(iii)



(iii) redemption or other retirement of shares, and

(iv) payment of dividends.

**10.**—(1) Item 8 of subsection 1 of section 86 of *The Corporations Act* is amended by inserting after “subsidiaries” in the first line “whose financial statements are not consolidated with those of the company”. R.S.O. 1960,  
c. 71, s. 86,  
subs. 1,  
item 8,  
amended

(2) Item 10 of subsection 1 of the said section 86 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 71, s. 86,  
subs. 1,  
item 10,  
re-enacted

10. Lands, buildings, and plant and equipment, stating the basis of valuation, whether cost or otherwise, and, if valued on the basis of an appraisal, the date of appraisal, the name of the appraiser, the basis of the appraisal value and, if such appraisal took place within five years preceding the date to which the balance sheet is made up, the disposition in the accounts of the company of any amounts added to or deducted from such assets on appraisal and also the amount or amounts accumulated in respect of depreciation, obsolescence and depletion.

(3) Item 15 of subsection 1 of the said section 86 is amended by inserting after “subsidiaries” in the first line “whose financial statements are not consolidated with those of the company”. R.S.O. 1960,  
c. 71, s. 86,  
subs. 1,  
item 15,  
amended

**11.**—(1) Items 6 and 10 of subsection 2 of section 87 of *The Corporations Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 71, s. 87,  
subs. 2,  
items 6, 10,  
re-enacted

6. Any liability secured otherwise than by operation of law on any asset of the company, stating the liability so secured.

. . . . .

10. The aggregate direct remuneration paid or payable by the company and its subsidiaries whose financial statements are consolidated with those of the company to the directors, and the senior officers as defined by clause *f* of subsection 1 of section 71, of the company and, as a separate amount, the aggregate direct remuneration paid or payable to such directors and senior officers by the subsidiaries of the company whose financial statements are not consolidated with those of the company.

R.S.O. 1960,  
c. 71, s. 87,  
subs. 2,  
amended

(2) Subsection 2 of the said section 87, as amended by subsection 2 of section 3 of *The Corporations Amendment Act 1962-63*, is further amended by adding thereto the following item:

15. In the case of a public company, the amount of any obligation for pension benefits arising from service prior to the date of the balance sheet, whether or not such obligation has been provided for in the accounts of the company, the manner in which the company proposes to satisfy such obligation and the basis on which it has charged or proposes to charge the related costs against operations.

R.S.O. 1960,  
c. 71, s. 90,  
subs. 4,  
amended

**12.** Subsection 4 of section 90 of *The Corporations Act* is amended by striking out "section" in the first line and inserting in lieu thereof "Act".

R.S.O. 1960,  
c. 71,  
amended

**13.** *The Corporations Act* is amended by adding thereto the following section:

Comparative  
interim  
financial  
statement

93a.—(1) A public company, other than a company to which Part V applies, shall send to each shareholder a copy of a comparative interim financial statement for the six-month period that commenced on the date of incorporation or, if the company has completed a financial year, for the six-month period that commenced immediately after the end of the last completed financial year and for the comparable six-month period, if any, in the twelve months immediately preceding the commencement of the six-month period in respect of which such interim financial statement is issued, made up of,

- (a) a statement of source and application of funds for each period that complies with section 85a; and
- (b) sufficient relevant financial information in summary form to present fairly the results of the operations of the company for each period, including,
  - (i) a statement of sales or gross operating revenue,
  - (ii) extraordinary items of income or expense,
  - (iii) net income before taxes on income imposed by any taxing authority,

(iv)

- (iv) taxes on income imposed by any taxing authority, and
  - (v) net profit or loss.
- (2) The interim financial statement required by sub-<sup>Idem</sup> section 1 may omit either or both of,
  - (a) the information relating to the comparable period; and
  - (b) the statement of source and application of funds,if the reason for the omission or omissions, as the case may be, is set out in the interim financial statement or by way of note thereto.
- (3) There shall be stated by way of note to the interim <sup>Idem</sup> financial statement required by subsection 1 particulars of any change in accounting principle or practice or in the method of applying any accounting principle or practice made during the period covered that affects the comparability of such statement with the statement for the preceding period or with the interim financial statement for a part of the preceding period, and the effect, if material, of any such change upon the profit or loss for the period covered by the interim financial statement.
- (4) For the purpose of subsection 3, a change in account-<sup>Idem</sup>ing principle or practice or in the method of applying any accounting principle or practice affects the comparability of a statement with that for the preceding period or part thereof, even though it did not have a material effect upon the profit or loss for the period covered by the interim financial statement.
- (5) The interim financial statement required by sub-<sup>Idem</sup> section 1 shall be sent by prepaid mail to each shareholder, within sixty days of the date to which it is made up, at his last address as shown on the books of the company.
- (6) A company that fails to comply with any provision <sup>Offence</sup> of this section is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and every director or officer of the company who authorized, permitted or acquiesced in any such failure is guilty of an offence and on summary conviction is liable to a like fine.

R.S.O. 1960,  
c. 71, s. 116,  
subs. 1,  
re-enacted

**14.**—(1) Subsection 1 of section 116 of *The Corporations Act*, as amended by subsection 1 of section 3 of *The Corporations Amendment Act, 1964*, is repealed and the following substituted therefor:

Application  
of Part II  
provisions  
to Part III  
corporations

- (1) Section 21*a*, clauses *a* to *p*, *s*, *u* and *v* of subsection 1 and subsection 2 of section 22, sections 58 to 60, 66, 68 to 70, 72 to 74, 75*a*, 79 and 80, subsection 1 of section 81, section 82, clauses *a*, *b* and *c* of subsection 1 and subsection 3 of section 83 and section 96 apply *mutatis mutandis* to corporations to which this Part applies, and in so applying them the words “company” and “private company” mean “corporation” and the word “shareholder” means “member”.

R.S.O. 1960,  
c. 71, s. 116,  
subss. 2, 3,  
re-enacted

- (2) Subsections 2 and 3 of the said section 116 are repealed and the following substituted therefor:

Co-ops

- (2) Subsection 1 of section 22, section 69, clauses *a*, *b* and *c* of subsection 1 and subsections 2 and 3 of section 83, subsection 1 of section 84, except clause *a* thereof, subsection 2 of section 84 and sections 85 to 88, 91 and 92 apply *mutatis mutandis* to corporations to which Part V applies, and in so applying them the words “company” and “private company” mean “corporation” and the word “shareholder” means “member”.

Insurers

- (3) Clauses *a*, *b* and *c* of subsection 1 and subsections 2 and 3 of section 83, subsection 1 of section 84, except clause *a* thereof, subsection 2 of section 84, sections 85, 86, 91 and 92 and subsections 1 and 3 of section 93 apply *mutatis mutandis* to corporations to which Part VI applies, and in so applying them the words “company” and “private company” mean “corporation” and the word “shareholder” means “member”.

R.S.O. 1960,  
c. 71, s. 143,  
subs. 3,  
re-enacted

**15.** Subsection 3 of section 143 of *The Corporations Act* is repealed and the following substituted therefor:

Exception

- (3) Sections 83 to 91 and 93*a* do not apply to insurers undertaking and transacting life insurance.

R.S.O. 1960,  
c. 71, s. 319,  
subs. 4,  
repealed

**16.** Subsection 4 of section 319 of *The Corporations Act* is repealed.

R.S.O. 1960,  
c. 71,  
amended

**17.** *The Corporations Act* is amended by adding thereto the following sections:



- 319a.—(1) Any person, upon payment of a reasonable charge therefor and upon filing with the corporation or its agent the affidavit referred to in subsection 2, may require a corporation, other than a private company, or its transfer agent to furnish within ten days from the filing of such affidavit a list setting out the names alphabetically arranged of all persons who are shareholders or members of the corporation, the number of shares owned by each such person and the address of each such person as shown on the books of the corporation made up to a date not more than ten days prior to the date of filing the affidavit.
- (2) The affidavit referred to in subsection 1 shall be made by the applicant and shall be in the following form:

## FORM OF AFFIDAVIT

Province of Ontario	}	In the matter of
County of		(Insert name of corporation)

I, ....., of the ..... of .....  
 in the ..... of ....., .....  
 make oath and say:

*(Where the applicant is a corporation, indicate office and authority of deponent.)*

1. I hereby apply for a list of the shareholders (or members) of the above-named corporation.

2. I require the list of shareholders (or members) only for purposes connected with the above-named corporation.

3. The list of shareholders (or members) and the information contained therein will be used only for purposes connected with the above-named corporation.

SWORN, etc.

- (3) Where the applicant is a corporation, the affidavit shall be made by the president or other officer authorized by resolution of the board of directors of such corporation. Idem, where applicant a corporation
- (4) Every person who uses a list of shareholders or members of a corporation obtained under this section, Offence
- (a) for the purpose of delivering or sending to all or any of such shareholders or members advertising or other printed matter relating to shares or securities other than the shares or securities of the corporation; or

(b)



(b) for any purpose not connected with the corporation,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

Offence

(5) Every corporation or transfer agent that fails to furnish a list in accordance with subsection 1 when so required is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and every director or officer of such corporation or transfer agent who authorized, permitted or acquiesced in such offence is also guilty of an offence and on summary conviction is liable to a like fine.

Interpre-  
tation

(6) Purposes connected with the corporation include any effort to influence the voting of shareholders or members at any meeting of the corporation, any offer to acquire shares in the corporation or any effort to effect an amalgamation or re-organization and any other purpose approved by the Provincial Secretary.

Offence

319b. Every person who offers for sale or sells or purchases or otherwise traffics in a list or a copy of a list of all or any of the shareholders or members of a corporation is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where such person is a corporation, every director or officer of such corporation who authorized, permitted or acquiesced in such offence is also guilty of an offence and on summary conviction is liable to a like fine.

Commence-  
ment

**18.**—(1) This Act, except section 2, comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Idem

(2) Section 2 shall be deemed to have come into force on the 8th day of April, 1926.

Short title

**19.** This Act may be cited as *The Corporations Amendment Act, 1966*.

## CHAPTER 29

# **An Act to amend The Corporations Information Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Corporations Information Act* is repealed. R.S.O. 1960,  
c. 72, s. 2,  
repealed

2. Subsection 10 of section 3 of *The Corporations Information Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 72, s. 3,  
subs. 10,  
re-enacted

(10) A corporation required to file a summary under section 125 of the *Canada Corporations Act* or section 42 of the *Boards of Trade Act* (Canada) may file with the Provincial Secretary a duplicate of such summary, signed and certified as prescribed in the said section 125 or 42, as the case may be, in lieu of the return required by subsection 1, and shall pay the fee prescribed for such return. Summary  
under  
R.S.C. 1952,  
cc. 53, 18,  
in lieu  
of return

3. Section 5 of *The Corporations Information Act* is repealed. R.S.O. 1960,  
c. 72, s. 5,  
repealed

4. Clauses *a*, *b*, *c* and *d* of section 6 of *The Corporations Information Act* are repealed. R.S.O. 1960,  
c. 72, s. 6,  
cls. *a-d*,  
repealed

5. Sections 1, 2, 3 and 4 and Schedules 1 and 2 of Regulation 62 of Revised Regulations of Ontario, 1960 are revoked. R.R.O. 1960,  
Reg. 62,  
ss. 1-4,  
Scheds. 1, 2,  
revoked

6. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-  
ment

7. This Act may be cited as *The Corporations Information Amendment Act, 1966*. Short title



## CHAPTER 30

## An Act to amend The Corporations Tax Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 1a of *The Corporations Tax Act*, as enacted by section 1 of *The Corporations Tax Amendment Act, 1964* and amended by subsections 1 and 2 of section 2 of *The Corporations Tax Amendment Act, 1965*, is further amended by striking out the first seven lines and inserting in lieu thereof the following:

R.S.O. 1960,  
c. 73, s. 1a  
(1964, c. 11,  
s. 1),  
subs. 1,  
amended

- (1) For the purposes of this Act, a corporation has a degree of Canadian ownership in a fiscal year if throughout any sixty-day period included in the 120-day period commencing sixty days before the first day of the year,

Where  
corporation  
has degree  
of Canadian  
ownership

2. Section 21 of *The Corporations Tax Act* is amended by adding thereto the following clause:

R.S.O. 1960,  
c. 73, s. 21,  
amended

- (d) an amount paid to a corporation on account of a development grant under the *Area Development Incentives Act* (Canada).

federal  
develop-  
ment grant  
1965,  
c. 12 (Can.)

3.—(1) Subsection 1 of section 22 of *The Corporations Tax Act*, as amended by subsection 1 of section 7 of *The Corporations Tax Amendment Act, 1961-62*, section 3 of *The Corporations Tax Amendment Act, 1962-63* and subsections 1 and 2 of section 5 of *The Corporations Tax Amendment Act, 1965*, is further amended by adding thereto the following clauses:

R.S.O. 1960,  
c. 73, s. 22,  
subs. 1,  
amended

- (u) the amount payable by the corporation for the fiscal year as a contribution under the *Canada Pension Plan* or under a provincial pension plan as defined in section 3 of the *Canada Pension Plan*;

Canada  
Pension  
Plan  
contribu-  
tions  
1964-65,  
c. 51 (Can.)

(v)

cancellation  
of lease

- (v) an amount, which would not otherwise be deductible, paid by the corporation in the fiscal year to a person with whom it was dealing at arm's length for the cancellation of a lease of property of the corporation leased by it to that person;

landscaping  
of grounds

- (w) an amount paid by the corporation in the fiscal year for the landscaping of grounds around a building or other structure of the corporation that is used by it primarily for the purpose of gaining or producing income therefrom or from a business;

expenses of  
representa-  
tion

- (x) an amount paid by the corporation in the fiscal year as or on account of expenses incurred by it in making any representation relating to a business carried on by it,

(i) to the government of a country, province or state or to a municipal or public body performing a function of government in Canada, or

(ii) to an agency of a government or of a municipal or public body referred to in subclause i that has authority to make rules, regulations or by-laws relating to the business carried on by the corporation,

including any representation for the purpose of obtaining a licence, permit, franchise or trade mark relating to the business carried on by the corporation;

investiga-  
tion of site

- (y) an amount paid by the corporation in the fiscal year for investigating the suitability of a site for a building or other structure planned by the corporation for use in connection with a business carried on by it.

R.S.O. 1960,  
c. 73, s. 22,  
amended

(2) The said section 22, as amended by subsection 1 of section 7 of *The Corporations Tax Amendment Act, 1961-62*, section 3 of *The Corporations Tax Amendment Act, 1962-63* and section 5 of *The Corporations Tax Amendment Act, 1965*, is further amended by adding thereto the following subsections:

Clearing  
land,  
levelling  
land and  
laying tile  
drainage

- (16) Notwithstanding clauses *a* and *b* of subsection 1 of section 23, there may be deducted, in computing the income of a corporation for a fiscal year from a business that is farming, amounts paid by the corporation in the fiscal year for clearing land, levelling land or laying tile drainage for the purpose of carrying on the farming business.



- (17) In lieu of making any deduction of an amount permitted by clause *x* of subsection 1 in computing its income for a fiscal year, a corporation may, if it so elects in prescribed manner, make a deduction of one-tenth of that amount in computing its income for that fiscal year and a like deduction in computing its income for each of the nine immediately following fiscal years. Application  
of cl. *x* of  
subs. 1

4. Section 23 of *The Corporations Tax Act*, as amended by R.S.O. 1960,  
c. 73, s. 23,  
amended section 8 of *The Corporations Tax Amendment Act, 1961-62*, section 4 of *The Corporations Tax Amendment Act, 1962-63*, section 4 of *The Corporations Tax Amendment Act, 1964* and section 6 of *The Corporations Tax Amendment Act, 1965*, is further amended by adding thereto the following subsection:

- (3) In computing income, no deduction shall be made in respect of an otherwise deductible outlay or expense of a corporation for advertising space in an issue of a non-Canadian newspaper or periodical dated after the 31st day of December, 1965, for an advertisement directed primarily to a market in Canada if such outlay or expense is not deductible in computing its income under Part I of the *Income Tax Act* (Canada) pursuant to section 12A of that Act. Limitation  
re  
advertising  
expense  
  
R.S.C. 1952,  
c. 148

5. Section 31 of *The Corporations Tax Act*, as amended by R.S.O. 1960,  
c. 73, s. 31,  
amended section 3 of *The Corporations Tax Amendment Act, 1960-61*, section 6 of *The Corporations Tax Amendment Act, 1964* and section 8 of *The Corporations Tax Amendment Act, 1965*, is further amended by adding thereto the following subsections:

- (9) Paragraph 8 of subsection 6 does not apply in respect of a development grant authorized to be paid under the *Area Development Incentives Act* (Canada). Develop-  
ment grant  
not excluded  
from capital  
cost  
1965,  
c. 12 (Can.)
- (10) Where, in computing the income of a corporation for a fiscal year, an amount has been deducted under clause *x* of subsection 1 of section 22 or the taxpayer has elected under subsection 17 of section 22 to make a deduction in respect of an amount that would otherwise have been deductible under that clause, the amount shall, if it was a payment on account of the capital cost of depreciable property, be deemed to have been allowed to the corporation in respect of the property under regulations made under clause *a* of subsection 2 of section 22 in computing the income of the corporation, Application  
of cl. *x* of  
subs. 1  
of s. 22

(a) for the fiscal year; or

(b)

(b) for the fiscal year in which the property was acquired,

whichever is the later.

R.S.O. 1960,  
c. 73, s. 40,  
subs. 1,  
amended

6. Subsection 1 of section 40 of *The Corporations Tax Act* is amended by adding "or" at the end of clause *b*, by striking out "or" at the end of clause *c* and by striking out clause *d*.

R.S.O. 1960,  
c. 73, s. 46*a*  
(1965,  
c. 22, s. 11),  
subs. 1,  
amended

7.—(1) Subsection 1 of section 46*a* of *The Corporations Tax Act*, as enacted by section 11 of *The Corporations Tax Amendment Act, 1965*, is amended by striking out "subsections 2 to 8" in the first line and inserting in lieu thereof "this section".

R.S.O. 1960,  
c. 73, s. 46*a*  
(1965,  
c. 22, s. 11),  
subs. 2,  
cl. *c*,  
re-enacted

(2) Clause *c* of subsection 2 of the said section 46*a* is repealed and the following substituted therefor:

(c) "manufacturing or processing business" means a business that had net sales for the fiscal year in respect of which the expression is being applied from the sale of goods processed or manufactured in Canada by the business, the amount of which was at least 95 per cent of the amount by which the gross revenue from the business for the fiscal year exceeds the aggregate of each amount paid or credited in the fiscal year to a customer of the business as a bonus, rebate or discount or for returned or damaged goods.

R.S.O. 1960,  
c. 73, s. 46*a*  
(1965,  
c. 22, s. 11),  
amended

(3) The said section 46*a* is amended by adding thereto the following subsection:

Exception

(2*a*) For the purpose of this section, a business that includes,

(a) operating a gas or oil well;

(b) logging;

(c) mining;

(d) construction;

(e) farming; or

(f) fishing,

shall be deemed not to be a manufacturing or processing business.

(4) Clause *b* of subsection 3 of the said section 46*a* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 73, s. 46*a*  
(1965,  
c. 22, s. 11),  
subs. 3,  
cl. *b*,  
re-enacted

(*b*) throughout the fiscal year, the value of all machinery and equipment that were owned or leased by the corporation and used in the business and,

(i) that were acquired by the corporation or by the lessor, as the case may be, after the 13th day of June, 1963, and before the 18th day of June, 1965, and had not been used for any purpose whatsoever before the 14th day of June, 1963, and

(ii) that were acquired by the corporation or by the lessor, as the case may be, after the 17th day of June, 1965, and had not been used for any purpose whatsoever,

(A) before the machinery and equipment were so acquired, or

(B) before the 14th day of June, 1963, if the machinery and equipment were acquired pursuant to a *bona fide* contract in writing entered into before the 18th day of June, 1965, that provided for the acquisition of the machinery and equipment,

is at least 95 per cent of the value of all machinery and equipment that were used in the business.

(5) The said section 46*a* is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 73, s. 46*a*  
(1965,  
c. 22, s. 11),  
amended

(9) Where at any time an amount on account of a development grant under the *Area Development Incentives Act* (Canada) has been paid to a corporation for the establishment of a new facility or the expansion of an existing facility as defined in that Act, subsection 1 does not apply to permit a deduction in computing the income of a corporation, for any fiscal year ending after that time, from the carrying on by the corporation of a manufacturing or processing business if,

Limitation  
where grant  
payable  
under  
1965,  
c. 12 (Can.)

(*a*) in the case of a grant for the establishment of a new facility, the new facility or any part thereof; or

(*b*)

- (b) in the case of a grant for the expansion of an existing facility, the expanded facility or any part thereof, other than the part thereof existing at the time the grant was authorized,

has, during that or a previous fiscal year, been used in carrying on the business.

R.S.O. 1960,  
c. 73, s. 56,  
subs. 2,  
re-enacted

8. Subsection 2 of section 56 of *The Corporations Tax Act* is repealed and the following substituted therefor:

Amount not  
included in  
income

- (2) An amount that would otherwise be included in computing the income for a fiscal year of a corporation that has, either under an arrangement with the prospector made before the prospecting, exploration or development work or as employer of the prospector, advanced money for, or paid part or all of, the expenses of prospecting or exploring for minerals or of developing a property for minerals, shall not be included in computing the income of the corporation for the fiscal year if it is the consideration for,

- (a) an interest in a mining property acquired under the arrangement under which the corporation made the advance or paid the expenses, or, if the prospector was the employee of the corporation, acquired by the corporation through the employee's efforts; or

- (b) shares of the capital stock of another corporation received by the corporation in consideration for property described in clause *a* that the corporation has disposed of to the corporation issuing the shares,

unless it is an amount received by the corporation in the fiscal year as or on account of a rent, royalty or similar payment.

R.S.O. 1960,  
c. 73, s. 57,  
subs. 4  
(1962-63,  
c. 26, s. 8,  
subs. 6),  
re-enacted

9.—(1) Subsection 4 of section 57 of *The Corporations Tax Act*, as re-enacted by subsection 6 of section 8 of *The Corporations Tax Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Deduction  
from  
income of  
corporation

- (4) A corporation, other than a corporation described in subsection 3*b*, may deduct, in computing its income under this Part for a fiscal year, the lesser of,

(a)



(a) the aggregate of such of,

- (i) the drilling and exploration expenses, including all general geological and geophysical expenses, incurred by it on or in respect of exploring or drilling for petroleum or natural gas in Canada, and
- (ii) the prospecting, exploration and development expenses incurred by it in searching for minerals in Canada,

as were incurred after the 10th day of April, 1962, and before the end of the fiscal year, to the extent that they were not deductible in computing income for a previous fiscal year; or

(b) of that aggregate, an amount equal to the aggregate of,

- (i) its income for the fiscal year from operating an oil or gas well in Canada in which the corporation has an interest,
- (ii) its income for the fiscal year from royalties in respect of an oil or gas well in Canada, and
- (iii) any amount included in computing its income for the taxation year by virtue of subsection 4*d*,

if no deductions were allowed under clause *b* of subsection 2 of section 22.

(2) Subsection 4*b* of the said section 57, as enacted by subsection 6 of section 8 of *The Corporations Tax Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 73, s. 57,  
subs. 4*b*  
(1962-63,  
c. 26, s. 8,  
subs. 6),  
re-enacted

- (4*b*) Where a corporation has, after the 10th day of April, 1962, acquired under an agreement or other contract or arrangement a right, licence or privilege to explore for, drill for or take in Canada petroleum, natural gas or other related hydrocarbons, except coal, under which agreement, contract or arrangement there was not acquired any other right to, over or in respect of the land in respect of which such right, licence or privilege was so acquired except the right,

Exploration  
and drilling  
rights,  
payments  
deductible

(a)



- (a) to explore for, drill for or take materials and substances, whether liquid or solid and whether hydrocarbons or not, produced in association with the petroleum, natural gas or other related hydrocarbons, except coal, or found in any water contained in an oil or gas reservoir; or
- (b) to enter upon, use and occupy so much of the land as may be necessary for the purpose of exploiting such right, licence or privilege,

an amount paid in respect of the acquisition thereof shall, for the purposes of subsections 3*b*, 3*d* and 4, be deemed to be a drilling or exploration expense on or in respect of exploring or drilling for petroleum or natural gas in Canada incurred at the time of such payment.

Idem

- (4*ba*) In its application for the purposes of subsection 3*d*, subsection 4*b* shall be read and construed as though there were substituted for the expression "after the 10th day of April, 1962", where that expression appears therein, the expression "after the 10th day of April, 1962, and before the 27th day of April, 1965".

R.S.O. 1960,  
c. 73, s. 57,  
subs. 4*c*  
(1962-63,  
c. 26, s. 8,  
subs. 6),  
re-enacted

- (3) Subsection 4*c* of the said section 57, as enacted by subsection 6 of section 8 of *The Corporations Tax Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Receipts for  
exploration  
or drilling  
rights  
included in  
income

- (4*c*) Where a right, licence or privilege to explore for, drill for or take in Canada petroleum, natural gas or other related hydrocarbons, except coal, is disposed of after the 10th day of April, 1962,

- (a) by a corporation described in subsection 3*b*; or
- (b) by a corporation, other than a corporation described in subsection 3*b*, that was at the time of acquisition of such right, licence or privilege a corporation described in subsection 3*b*,

any amount received by the corporation as consideration for the disposition thereof shall be included in computing its income for its fiscal year in which the amount was received unless the corporation acquired such right, licence or privilege before the 11th day of April, 1962, and disposed of it before the 9th day of November, 1962.

(4) The said section 57, as amended by section 6 of *The Corporations Tax Amendment Act, 1960-61*, section 19 of *The Corporations Tax Amendment Act, 1961-62*, section 8 of *The Corporations Tax Amendment Act, 1962-63* and section 11 of *The Corporations Tax Amendment Act, 1964*, is further amended by adding thereto the following subsections:

- (4g) Subsections 4 and 4d do not apply in computing the income for a fiscal year under this Part of a corporation the business of which includes trading or dealing in rights, licences or privileges to explore for, drill for or take in Canada petroleum, natural gas or other related hydrocarbons, except coal. <sup>Idem</sup>

. . . . .

- (10b) For the purposes of this section and section 65, "drilling and exploration expenses" incurred on or in respect of exploring or drilling for petroleum or natural gas in Canada includes an annual payment made for the preservation of a right, licence or privilege described in subsection 4b. <sup>Drilling and exploration expenses</sup>

**10.** Section 64 of *The Corporations Tax Act* is repealed and the following substituted therefor: <sup>R.S.O. 1960, c. 73, s. 64, re-enacted</sup>

64. In computing the income for a fiscal year of a corporation the business of which includes the lending of money on the security of a mortgage, hypothec or agreement of sale of real property, <sup>Special mortgage reserve</sup>

- (a) there may be deducted as a reserve, in lieu of any deduction under clause *h* of subsection 1 of section 22, such amount as the corporation may claim not exceeding the lesser of,

- (i) 3 per cent of the aggregate of,

- (A) each amount outstanding at the end of the fiscal year as or on account of the principal amount of loans made by the corporation on the security of a mortgage, hypothec or agreement of sale of real property, or as or on account of the principal amount of any such mortgage, hypothec or agreement of sale purchased by the corporation,

- (B)

- (B) each amount due and unpaid at the end of the fiscal year or on account of interest payable to the corporation under a mortgage, hypothec or agreement of sale of real property, and
- (C) each amount that has been taken into account in computing the income of the corporation for the fiscal year as or on account of the value of real property of the corporation that was included in the inventory of the corporation at the end of the fiscal year and that was acquired by foreclosure or otherwise after default made under a mortgage, hypothec or agreement of sale of real property, otherwise than as or on account of the value of real property in respect of which any amount for the fiscal year has been included under paragraph A or B, or

- (ii) the amount, if any, deducted under this clause as a reserve in computing the income of the corporation for the immediately preceding fiscal year, plus one-sixth of the amount determined under subclause i,

but no deduction may be made under this clause as a reserve in respect of loans made on the security of a mortgage or hypothec under the *National Housing Act, 1954* (Canada) or any of the Housing Acts as defined in clause *e* of section 2 of the *Central Mortgage and Housing Corporation Act* (Canada); and

- (b) there shall be included the amount deducted under clause *a* as a reserve in computing the income of the corporation for the immediately preceding fiscal year.

1953-54,  
c. 23 (Can.)

R.S.C. 1952,  
c. 46

1965,  
c. 22, s. 16,  
subs. 6,  
re-enacted

**11.** Subsection 6 of section 16 of *The Corporations Tax Amendment Act, 1965* is repealed and the following substituted therefor:

(6) Where an amount in respect of an outlay or expense <sup>Idem</sup> that was incurred by a corporation before the 1964 fiscal year and that was not deductible by reason of the application of subsection 3 of section 23 of *The Corporations Tax Act*, as that provision applied to the fiscal year in which the outlay or expense was incurred, was payable by the corporation to a person with whom it was not dealing at arm's length, the following rules apply:

- (a) if the amount is paid by the corporation before 1967, it may be deducted in computing the income of the corporation for the fiscal year in which it is paid; and
- (b) if the amount is not paid by the corporation before 1967 but the corporation and the person with whom it was not dealing at arm's length have filed an agreement in prescribed form on or before the day on or before which the corporation is required by section 71 to file its return of income for its taxation year that includes the 31st day of December, 1966,
  - (i) the amount so unpaid shall be deemed to have been paid by the corporation and received by that person on the 31st day of December, 1966, and
  - (ii) that person shall be deemed to have made a loan to the corporation on the 31st day of December, 1966, in an amount equal to the amount deemed by subclause i to have been paid by the taxpayer.

**12.**—(1) Sections 2, 3 and 5, subsections 1 and 5 of section 7 <sup>Application of Act</sup> and sections 8, 9 and 10 apply in respect of fiscal years of corporations ending in 1965 and in respect of subsequent fiscal years.

(2) Section 1 applies in respect of fiscal years of corporations <sup>Idem</sup> ending in 1965 and in respect of subsequent fiscal years except that, in its application to the 1965 fiscal year of a corporation, it does not apply so as to affect any election made by the corporation pursuant to subsection 4 of section 1a of *The Corporations Tax Act*.

(3) Subsections 2 and 3 of section 7 are applicable in respect <sup>Idem</sup> of fiscal years of corporations ending in 1966 and in respect



of subsequent fiscal years, except that in its application to any such fiscal year in the case of a business carried on by a corporation,

(a) in respect of which a certificate was issued before the 1st day of July, 1965, pursuant to subsection 6 of section 71A of the *Income Tax Act* (Canada), or

R.S.C. 1952,  
c. 148

(b) in respect of which the Treasurer of Ontario is satisfied that,

(i) the corporation had, before the 1st day of July, 1965, made substantial progress in establishing the business, and

(ii) if at any time in the fiscal year the business included any activity or activities described in clauses *a* to *f* of subsection 2*a* of section 46*a* of *The Corporations Tax Act*, as enacted by subsection 3 of section 7, the corporation had before the 1st day of July, 1965, made substantial progress in establishing that activity or those activities as part of the business,

section 46*a* of *The Corporations Tax Act* shall be read as though it had not been amended by the said subsections 2 and 3.

Commence-  
ment

**13.**—(1) This Act, except section 11, comes into force on the day it receives Royal Assent.

Idem

(2) Section 11 shall be deemed to have come into force on the 30th day of June, 1965.

Short title

**14.** This Act may be cited as *The Corporations Tax Amendment Act, 1966*.



## CHAPTER 31

**An Act to amend The County Courts Act**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *a* of section 11 of *The County Courts Act* is <sup>R.S.O. 1960, c. 76, s. 11, cl. *a*, amended</sup> amended by striking out "second Monday of December" in the second line and inserting in lieu thereof "last Monday of November", so that the clause shall read as follows:

(*a*) Bracebridge, commencing on the fourth Monday of May and the last Monday of November.

**2.** This Act may be cited as *The County Courts Amendment* <sup>Short title</sup> *Act, 1966*.



## CHAPTER 32

**An Act to amend The County Judges Act**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 3 of *The County Judges Act*, R.S.O. 1960, as amended by section 1 of *The County Judges Amendment Act, 1964*, is further amended by striking out "sixteen" in the amendment of 1964 and inserting in lieu thereof "seven-teen", so that the subsection shall read as follows:

- (1) In addition to the judges mentioned in section 1 and the junior judges mentioned in section 2, one or more <sup>Additional judges</sup> judges or junior judges, not exceeding seventeen in number, may be appointed,
- (a) for the county or district court of any county or district that the Lieutenant Governor in Council designates; or
- (b) for the county and district courts of the counties and districts of Ontario.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sub>ment</sub>

**3.** This Act may be cited as *The County Judges Amendment Act, 1966*. <sub>Short title</sub>



## CHAPTER 33

## An Act to amend The Credit Unions Act

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Credit Unions Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 79,  
amended

28a. A credit union may by by-law provide for accepting moneys for deposit in respect of which a specified rate of interest is payable only if the deposit is not withdrawn for a fixed term, and the credit union shall set aside a reserve fund, adjusted annually, in the amount of the interest accruing on such deposits. Term  
deposits

2.—(1) Section 30 of *The Credit Unions Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 79, s. 30,  
amended

(1a) No person shall be a director of a credit union of which he is a full-time employee. Employees

(2) Subsection 1a of section 30 of *The Credit Unions Act*, as enacted by subsection 1, does not apply to directors in office when this section comes into force until the expiration of their terms of office. Application

3.—(1) Clause *b* of subsection 7 of section 31 of *The Credit Unions Act* is amended by striking out “\$25” in the third line and inserting in lieu thereof “\$100” and by striking out “one month” in the fourth line and inserting in lieu thereof “three months”, so that the clause shall read as follows: R.S.O. 1960,  
c. 79, s. 31,  
subs. 7,  
cl. b,  
amended

(b) authorize the treasurer, manager or other person, without obtaining its approval, to make loans in amounts not exceeding \$100 for periods not exceeding three months.

(2) The said section 31, as amended by section 3 of *The Credit Unions Amendment Act, 1960-61*, is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 79, s. 31,  
amended



Officers  
not to be  
appointed

- (8a) A credit union, other than a credit union league, shall not appoint the secretary, treasurer or manager of the credit union, or his assistant, under a by-law passed under subsection 8.

R.S.O. 1960,  
c. 79, s. 35,  
subs. 1,  
cl. c,  
re-enacted

4. Clause *c* of subsection 1 of section 35 of *The Credit Unions Act* is repealed and the following substituted therefor:

- (c) in the paid-up shares of a credit union league incorporated under section 53, but the amounts so invested shall not exceed 25 per cent of the share capital of the credit union.

R.S.O. 1960,  
c. 79, s. 38,  
amended

5. Section 38 of *The Credit Unions Act* is amended by adding thereto the following subsection:

Term of  
confirmation

- (2) A confirmation of a resolution by the members of a credit union under subsection 1 shall not be given for a term exceeding one year.

Commence-  
ment

6.—(1) This Act, except sections 1 and 4, comes into force on the 1st day of September, 1966.

Idem

(2) Sections 1 and 4 come into force on the 1st day of July, 1967.

Short title

7. This Act may be cited as *The Credit Unions Amendment Act, 1966*.

## CHAPTER 34

## An Act to provide for Crop Insurance

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Commission" means The Crop Insurance Commission of Ontario;
- (b) "contract of insurance" means a contract of insurance under a plan;
- (c) "Fund" means the Ontario Crop Insurance Fund;
- (d) "insurable crop" means an agricultural crop designated as an insurable crop by the regulations;
- (e) "Minister" means the Minister of Agriculture and Food;
- (f) "plan" means a plan of crop insurance established by the regulations;
- (g) "regulations" means the regulations made under this Act.

**2.**—(1) There is hereby established a commission, to be known as The Crop Insurance Commission of Ontario, which shall be a corporation without share capital responsible to the Minister.  
Crop Insurance Commission of Ontario established

(2) The Commission shall be composed of not fewer than five members who shall be appointed by the Lieutenant Governor in Council.  
Composition

(3) The Lieutenant Governor in Council may designate one of the members of the Commission as chairman and one as vice-chairman.  
Chairman and vice-chairman

- Quorum (4) Three members of the Commission, of whom one shall be the chairman or the vice-chairman, constitute a quorum.
- Remuneration (5) Such members of the Commission as are not officers in the public service of Ontario shall receive such remuneration and expenses as the Lieutenant Governor in Council from time to time determines.
- Liability (6) No member of the Commission and no officer or other employee of the Commission is personally liable for anything done by him in good faith under or purporting to be under the authority of this Act or the regulations.
- R.S.O. 1960, c. 71, does not apply (7) *The Corporations Act* does not apply to the Commission.
- General manager and staff 3.—(1) A general manager of the Commission and such other officers, clerks and servants as are deemed necessary from time to time for the proper conduct of the business of the Commission may be appointed under *The Public Service Act, 1961-62*.
- 1961-62, c. 121
- Duties of general manager (2) The general manager of the Commission shall be the chief administrative officer of the Commission, and the Commission may delegate to the general manager such of its powers and duties under this Act as it deems advisable.
- Professional assistance (3) The Commission may engage persons other than those appointed under subsection 1 to provide professional, technical or other assistance to or on behalf of the Commission.
- Functions of Commission 4. It is the function of the Commission and it has power,
- (a) to administer plans of crop insurance established by the regulations;
  - (b) to conduct surveys and research programmes relating to crop insurance and to obtain statistics for the purposes of the Commission;
  - (c) to evaluate losses and pay claims under plans of crop insurance;
  - (d) to enter into agreements with or retain persons for the soliciting and receiving of applications for insurance, the collecting of premiums and the adjusting of claims under plans for and on behalf of the Commission, and the doing of such other things on its behalf as the Commission deems necessary;
  - (e) to re-insure with any other insurer the risk or any portion thereof under its contracts of insurance under any plan;

- (f) to require an applicant for crop insurance or an insured person to furnish such information, statements and reports as the Commission requires from time to time;
- (g) to administer this Act and the regulations;
- (h) to exercise such powers and perform such duties as are conferred or imposed upon it by or under this or any other Act; and
- (i) to perform such other functions and discharge such other duties as are assigned to it from time to time by the Lieutenant Governor in Council.

**5.**—(1) Subject to the approval of the Lieutenant Governor in Council, the Commission may make regulations establishing, amending and revoking voluntary plans for the insurance within Ontario of insurable crops, and governing the terms and conditions of insurance under any plan and, without restricting the generality of the foregoing,

- (a) designating perils for the purposes of any plan;
- (b) determining coverage and establishing values with respect to insurable crops for the purposes of any plan;
- (c) fixing premium rates and providing for the payment and collection of premiums in respect of any plan;
- (d) prescribing forms and providing for their use, and requiring any information given in a form to be verified by statutory declaration;
- (e) fixing a final date in each year for the receipt of applications for crop insurance under any plan;
- (f) requiring applicants for crop insurance and insured persons to furnish such information, statements and reports as are prescribed;
- (g) designating insurable persons for the purposes of any plan.

(2) A plan may apply to one or more insurable crops, and the plan or any provisions thereof may apply to all of Ontario or to any area within Ontario.

**6.**—(1) The Lieutenant Governor in Council may make regulations,

(a)

- (a) designating any agricultural crop as an insurable crop;
- (b) providing for the appointment of arbitrators, determining the constitution of boards of arbitration and regulating the practice and procedure of such arbitrators or boards of arbitration;
- (c) providing for the arbitration by an arbitrator or by a board of arbitration of disputes arising out of the adjustment of losses;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Decision of  
arbitrator or  
board of  
arbitration  
final

(2) The decision of an arbitrator or a board of arbitration under the regulations is final.

Payment  
of premiums

**7.**—(1) All moneys required by this Act to be paid in respect of premiums under plans and all moneys due under agreements of re-insurance shall be paid to the Commission.

Subsidy

(2) The Lieutenant Governor in Council may authorize the Treasurer of Ontario to pay to the Commission out of the Consolidated Revenue Fund a sum equivalent to such percentage of the premiums payable under any plan or plans as the Lieutenant Governor in Council determines.

Advances

**8.** If at any time the amount standing to the credit of the Fund is insufficient for the purpose of making payments for claims under plans, the Lieutenant Governor in Council may authorize the Treasurer of Ontario to advance to the Commission out of the Consolidated Revenue Fund such sums as are necessary to meet the deficit on such terms and conditions as the Lieutenant Governor in Council directs.

Ontario  
Crop  
Insurance  
Fund

**9.**—(1) The Commission shall establish and maintain in a chartered bank a fund, to be known as the Ontario Crop Insurance Fund, to which shall be credited the moneys received by the Commission under sections 7 and 8.

Payments  
out of  
Fund

(2) The Commission shall pay out of the Fund all moneys required for,

- (a) the payment of claims under plans;
- (b) the payment of premiums for re-insurance; and
- (c) the repayment of advances made under section 8.



**10.** The Commission may pay into the Consolidated Revenue Fund any surplus moneys in the Fund that are not necessary for the current requirements of the Commission, and section 24 of *The Financial Administration Act* applies thereto. <sup>Surplus</sup> R.S.O. 1960, c. 142

**11.** The accounts and financial transactions of the Commission shall be audited annually by the Provincial Auditor, and a report of the audit shall be made to the Commission and to the Minister. <sup>Audit</sup>

**12.—(1)** The Commission shall make an annual report of the affairs of the Commission to the Minister. <sup>Annual report</sup>

(2) The Minister shall submit the annual report to the Lieutenant Governor in Council and shall then lay the report before the Legislative Assembly if it is in session or, if not, at the next ensuing session. <sup>Tabling</sup>

**13.—(1)** The Minister may, with the approval of the Lieutenant Governor in Council, enter into an agreement with the Government of Canada as provided for in the *Crop Insurance Act* (Canada). <sup>Agreements with Canada</sup> 1959, c. 42 (Can.)

(2) Notwithstanding anything in this Act, no crop insurance plan shall be established unless an agreement made under subsection 1 applies to the plan. <sup>Extent of plans</sup>

**14.** *The Insurance Act* does not apply to any matter or thing done by or under this Act. <sup>R.S.O. 1960, c. 190, does not apply</sup>

**15.** The moneys required for the purposes of administering this Act shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature. <sup>Moneys</sup>

**16.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commencement</sup>

**17.** This Act may be cited as *The Crop Insurance Act* (Ontario), 1966. <sup>Short title</sup>



## CHAPTER 35

## An Act to amend The Crown Administration of Estates Act

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Crown Administration of Estates Act* is amended by striking out "but, where there are adult next of kin residing out of Ontario, administration may be granted to the nominee of such next of kin at the discretion of the court" in the eleventh, twelfth and thirteenth lines, so that the section shall read as follows:

2. Where a person dies in Ontario intestate without leaving any known next of kin living in Ontario or where the only next of kin are infants and there is no near relative in Ontario willing and competent to apply for a grant of administration or to nominate some person to apply for such a grant, the Public Trustee may apply for letters of administration, general or limited, of the estate of such person, and a competent court upon the application may grant administration to the Public Trustee for the use and benefit of Her Majesty or of such persons as ultimately appear to be entitled thereto.

2.—(1) Section 5 of *The Crown Administration of Estates Act* is amended by inserting after "purchaser" in the eighth line "free of any claim for dower or curtesy" and by inserting after "alive" in the ninth line "and unmarried", so that the section shall read as follows:

5. Where administration is granted to the Public Trustee, the Lieutenant Governor in Council may direct the sale, by auction or private sale, of any real estate or interest therein in Ontario to which the intestate died entitled, and the Public Trustee is thereupon authorized to sell in accordance with the directions of the order in council the whole or any

part of the real estate or interest and to convey it to the purchaser free of any claim for dower or curtesy, and every conveyance by the Public Trustee is as valid and effectual as if the deceased were alive and unmarried at the time of its making and had executed it.

Application of R.S.O. 1960, c. 80, s. 5 (2) Section 5 of *The Crown Administration of Estates Act*, as amended by subsection 1, applies to conveyances of real estate or interests therein of persons who die after this Act comes into force.

Commencement 3. This Act comes into force on the day it receives Royal Assent.

Short title 4. This Act may be cited as *The Crown Administration of Estates Amendment Act, 1966*.

## CHAPTER 36

## An Act to amend The Crown Timber Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Crown Timber Act*, as amended by R.S.O. 1960, c. 83, s. 1, section 1 of *The Crown Timber Amendment Act, 1964*, is amended further amended by adding thereto the following clause:

(1a) "stumpage charges" means the amount equal to the total of the amount of the Crown dues and any other amounts added thereto in fixing the price to be paid for Crown timber.

2.—(1) Section 2 of *The Crown Timber Act*, as amended R.S.O. 1960, c. 83, s. 2, by section 2 of *The Crown Timber Amendment Act, 1964*, is amended further amended by adding thereto the following subsections:

(3a) The Minister shall not grant a licence under subsection 2 until the highest tenderer has furnished proof that he owns and is operating a mill or that he has a contract to supply wood to a mill. Proof of ability to use timber

(3b) Where the highest tenderer fails to furnish the proof mentioned in subsection 3a within thirty days of the sending to him by the Minister of notice to furnish such proof, the Minister may, subject to the furnishing of the proof mentioned in subsection 3a, grant to the next highest tenderer a licence having the same terms, conditions and prices as those tendered by the highest tenderer. Grant of licence to next highest tenderer

(2) Subsection 5 of the said section 2 is amended by striking out "Crown" in the third line and inserting in lieu thereof "stumpage" and by striking out "\$1,000" in the fourth line and inserting in lieu thereof "\$2,000", so that the subsection shall read as follows: R.S.O. 1960, c. 83, s. 2, subs. 5, amended



Licences if  
charges not  
more than  
\$2,000

- (5) Notwithstanding subsection 1, the Minister may grant licences to cut Crown timber at such rates and subject to such terms and conditions as he deems proper, if the stumpage charges payable for such timber do not exceed \$2,000.

R.S.O. 1960,  
c. 83, s. 2,  
amended

- (3) The said section 2 is further amended by adding thereto the following subsection:

Failure to  
operate

- (6) Where for any reason the holder of a licence issued under subsection 2 or 4 does not operate a mill or does not supply wood from the licensed area to a mill during a period of twelve months ending on the 31st day of March in any year, the Minister may cancel the licence as of that day.

R.S.O. 1960,  
c. 83, s. 3,  
subs. 2,  
re-enacted

- 3.** Subsection 2 of section 3 of *The Crown Timber Act*, as amended by subsection 2 of section 3 of *The Crown Timber Amendment Act, 1964*, is repealed and the following substituted therefor:

Terms and  
conditions

- (2) Where a licence to cut Crown timber is granted under subsection 2 of section 2 or under subsection 1 or is renewed under subsection 4 of section 2 or under subsection 1a, the Minister may,
- (a) determine from time to time the prices at which species of timber may be cut where the prices for such species are not specifically set out in the licence; and
  - (b) grant to a licensee, from time to time during the term of the licence, rights to cut on the licensed area additional species not set out in the licence at such prices and upon such terms and conditions as he deems proper.

R.S.O. 1960,  
c. 83, s. 13,  
subs. 2,  
re-enacted

- 4.** Subsection 2 of section 13 of *The Crown Timber Act* is repealed and the following substituted therefor:

Default of  
charges

- (2) Where a licensee does not pay the Crown charges within thirty days of the date the account therefor was sent to him, the Minister may withhold the approval mentioned in subsection 1 until such Crown charges are paid.

R.S.O. 1960,  
c. 83, s. 16,  
amended

- 5.** Section 16 of *The Crown Timber Act* is amended by adding thereto the following subsection:

- (3) Where an application is made to the Minister for his consent under subsection 1 and he is of opinion that the licensee's cutting operations on and improvements of the licensed area have not been adequate in all the circumstances, he may cancel the licence.

6.—(1) Clause *a* of subsection 1 of section 25 of *The Crown Timber Act*, as amended by subsection 1 of section 2 of *The Crown Timber Amendment Act, 1961-62*, is further amended by striking out "sixty" in the first line and inserting in lieu thereof "thirty" and by striking out "but not later than the 15th day of June" in the second and third lines, so that the clause shall read as follows:

- (a) at least thirty days before cutting operations commence in each year, an annual plan for the cutting operations to be conducted by him during the twelve-month period commencing on the 1st day of April in that year; and

(2) Clause *b* of subsection 1 of the said section 25 is amended by striking out "the areas cut over" in the second line and inserting in lieu thereof "the boundaries and the acreages of the areas cut over and the parts thereof that were not cut" and by inserting after "the" in the fourth line "acreages of the areas cut over, the parts thereof that were not cut and the", so that the clause shall read as follows:

- (b) not later than the 31st day of October in each year a map showing the boundaries and the acreages of the areas cut over and the parts thereof that were not cut during the twelve-month period ending on the 31st day of March of that year together with a statement of the acreages of the areas cut over, the parts thereof that were not cut and the amount, species and size of timber cut from each cutting area during such period.

7. Subsection 1 of section 32 of *The Crown Timber Act* is amended by adding "and" at the end of clause *a* and by striking out clause *b*.

8. Subsection 1 of section 36 of *The Crown Timber Act* is repealed and the following substituted therefor:

- (1) The Minister may issue a scaler's licence to any person who has been recommended by a board of examiners and who has taken the oath prescribed by section 38.

R.S.O. 1960,  
c. 83, s. 47,  
subs. 1,  
cls. a-e,  
re-enacted

9. Clauses *a, b, c, d* and *e* of subsection 1 of section 47 of *The Crown Timber Act* are repealed and the following substituted therefor:

- (a) commences cutting operations without the approval of the Minister under section 13, or carries on cutting operations beyond the limits of the area approved by the Minister under section 13, is liable to a penalty of an amount not less than the amount of the stumpage charges on the timber so cut and not more than five times the amount of such charges;
- (b) contravenes subsection 1 of section 14 or any order or direction made under section 26 or any regulation made under clause *h* of section 52 is liable to a penalty of an amount not less than the amount of the stumpage charges on the timber in respect of which such contravention occurred and not more than five times the amount of such charges;
- (c) except under a licence, cuts or employs or induces or assists any other person to cut Crown timber or removes or employs or induces or assists any other person to remove Crown timber is liable to a penalty of an amount not less than the amount of the stumpage charges on the timber in respect of which such contravention occurred and not more than five times the amount of such charges;
- (d) contravenes section 41 is liable to a penalty of an amount not less than twice the amount of the stumpage charges on the timber in respect of which such contravention occurred and not more than five times the amount of such charges;
- (e) contravenes section 17 is liable to a penalty of not less than \$50 and not more than \$5,000.

R.S.O. 1960,  
c. 83, s. 50,  
subs. 1,  
re-enacted

10. Subsection 1 of section 50 of *The Crown Timber Act* is repealed and the following substituted therefor:

Regulations  
re Crown  
dues

- (1) Notwithstanding anything in this Act or any general or special Act or in any order in council or regulation or in any agreement or licence made or granted under any of them, the Lieutenant Governor in Council may make regulations increasing or decreasing the Crown dues payable in respect of any kind or class of timber or increasing or decreasing the annual ground rent and fire protection charge payable in respect of licensed areas, and any such

regulation

regulation shall be made to take effect on the 1st day of April immediately preceding or at such subsequent time as is specified in the regulation.

**11.** Nothing in this Act affects any rights in connection with any scaler's licence to measure pulpwood in effect when this Act comes into force. <sup>Existing  
pulpwood  
scalers'  
licences</sup>

**12.** This Act comes into force on the day it receives <sup>Commence-  
ment</sup> Royal Assent.

**13.** This Act may be cited as *The Crown Timber Amendment Act, 1966*. <sup>Short title</sup>





## CHAPTER 37

## The Day Nurseries Act, 1966

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "day nursery" means a place that receives for temporary custody, for a continuous period not exceeding twenty-four hours, more than three children under ten years of age not of common parentage and that is not part of a public school under *The Public Schools Act* or part of a separate school under *The Separate Schools Act* or part of a private school registered under *The Department of Education Act*; R.S.O. 1960,  
cc. 330,  
368, 94
- (b) "Director" means the Director of the Day Nurseries Branch of the Department of Public Welfare;
- (c) "licensed day nursery" means a day nursery licensed under this Act;
- (d) "Minister" means the Minister of Public Welfare;
- (e) "municipality" means a city, town, village or township and includes a metropolitan municipality, but does not include a local municipality in a metropolitan municipality;
- (f) "operator" means a person or a partnership or association of persons that has the control and management of a day nursery, and "operate" has a corresponding meaning;
- (g) "regulations" means the regulations made under this Act. R.S.O. 1960, c. 87, s. 1; 1964, c. 18, s. 1, *amended*.

2.—(1) The council of a municipality may by by-law provide for the establishment of day nurseries.

Establish-  
ment of day  
nurseries  
by muni-  
cipalities

By-laws  
re grants

(2) The council of a municipality may pass by-laws granting aid to day nurseries.

Agreements  
to provide  
day  
nurseries

(3) The council of a municipality may enter into an agreement with any person or organization operating a licensed day nursery for the furnishing of such day nursery services for such children as is agreed upon, and the municipality may make such expenditures as are necessary for the purpose. R.S.O. 1960, c. 87, s. 2, *amended*.

Establish-  
ment by  
Minister

(4) The Minister with the approval of the Lieutenant Governor in Council may establish day nurseries in areas without municipal organization. *New*.

Grants

**3.**—(1) There shall be paid to every municipality an amount equal to 80 per cent of its costs, computed in accordance with the regulations,

(a) for the operation and maintenance or the renovation of every licensed day nursery established by the municipality; and

(b) under agreements entered into under subsection 3 of section 2. R.S.O. 1960, c. 87, s. 3, *amended*.

Grants to  
Indian  
bands  
R.S.O. 1960,  
c. 164

(2) Where the council of an Indian band that is approved under *The General Welfare Assistance Act* establishes a day nursery and the day nursery is approved by the Minister for the purposes of this section, the band is entitled to the payment referred to in clause *a* of subsection 1 in the same manner as if the band were a municipality. *New*.

Director  
of day  
nurseries

**4.**—(1) There shall be a Director of the Day Nurseries Branch of the Department of Public Welfare, who shall perform the duties vested in him by this or any other Act.

Vacancies

(2) Where the Director is absent or there is a vacancy in his office, the powers and duties of the Director may be exercised and performed by such employee of the Department of Public Welfare as the Minister designates. *New*.

Licences

**5.**—(1) No person shall operate a day nursery without a licence therefor issued by the Director in accordance with the regulations, and the licence may be subject to terms and conditions.

Refusal or  
revocation  
of licence

(2) The Director may revoke or refuse to issue or renew a licence where the operator does not comply with the regulations or where there has been a breach of the terms or conditions of the licence.

(3) The Director shall not revoke or refuse to issue or renew <sup>Hearing</sup> a licence without giving the applicant an opportunity to be heard.

(4) Any person whose application for a licence or renewal <sup>Review</sup> of a licence has been refused or whose licence has been revoked may request a hearing and review of the decision of the Director by the Child Welfare Review Board established under *The Child Welfare Act, 1965*. 1965, c. 14

(5) Where a hearing and review are requested, the Child <sup>Hearing and order</sup> Welfare Review Board shall hold a hearing and may by its order direct the Director to make such decision as the Director is authorized to make under this Act and the regulations and as the board deems proper, and thereupon the Director shall act accordingly.

(6) The order of the Child Welfare Review Board is final, <sup>Order final</sup> but a further application to the Director for a licence or renewal of licence may be made by the applicant upon new evidence or where it is clear that the material circumstances have changed. *New*.

**6.**—(1) The Minister may designate any employee of the <sup>Provincial supervisors</sup> Department of Public Welfare as a provincial supervisor who may at any time enter any day nursery and inspect the facilities and the books of account, enrolment records and other records at any time.

(2) Every person, when requested so to do by a provincial <sup>Access for inspections</sup> supervisor, shall permit inspection of any premises operated as a day nursery and shall produce and permit inspection of books of account, enrolment records and other records of the day nursery and supply extracts therefrom.

(3) No person shall hinder or obstruct a provincial super- <sup>Obstructing inspection</sup>visor in the performance of his duties or refuse to permit him to carry out his duties or refuse to furnish him with information or furnish him with false information. *New*.

**7.** The Lieutenant Governor in Council may make regu- <sup>Regulations</sup>lations,

- (a) governing and regulating day nurseries or any class thereof;
- (b) providing for the issuance, renewal and cancellation of licences;
- (c) prescribing the fee payable by an applicant for a licence or renewal of a licence;

(d)

- (d) prescribing the manner of computing costs for the purposes of section 3;
- (e) prescribing the procedure for hearings by the Director and for hearings and reviews by the Child Welfare Review Board;
- (f) prescribing the forms to be used and the records that shall be kept under this Act;
- (g) prescribing additional duties of the Director;
- (h) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 87, s. 4, *amended*.

## Penalties

**8.**—(1) Every person who contravenes subsection 1 of section 5 is guilty of an offence and on summary conviction is liable to a fine of not more than \$20 for each day on which such offence continues.

## Idem

(2) Every person who contravenes section 6 is guilty of an offence and on summary conviction is liable to a fine of not more than \$500. R.S.O. 1960, c. 87, s. 5, *amended*.

## Moneys

**9.** The moneys required for the purposes of subsection 4 of section 2 and section 3 shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature. *New*.

R.S.O. 1960,  
c. 87;  
1964, c. 18,  
repealed

**10.** *The Day Nurseries Act* and *The Day Nurseries Amendment Act, 1964* are repealed.

Commence-  
ment

**11.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

## Short title

**12.** This Act may be cited as *The Day Nurseries Act, 1966*.

## CHAPTER 38

## An Act to amend The Dentistry Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Dentistry Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 91, s. 1,  
amended

(ca) "infamous, disgraceful or improper conduct in a professional respect" includes professional incompetence, gross carelessness in diagnosis or treatment, and fraudulent or exorbitant charging of fees.

**2.** Subsection 2 of section 3 of *The Dentistry Act* is amended by striking out "and with the consent of the Minister of Education" in the third and fourth lines, so that the subsection shall read as follows: R.S.O. 1960,  
c. 91, s. 3,  
subs. 2,  
amended

(2) Such real estate shall not be sold, mortgaged, leased or disposed of, except with the consent of the Board given at a meeting duly called for that purpose. Consent to  
alienation,  
etc.,  
required

**3.—(1)** Subsection 2 of section 4 of *The Dentistry Act* is amended by striking out "nine" in the first line and by striking out "is" in the second line and inserting in lieu thereof "shall be", so that the subsection shall read as follows: R.S.O. 1960,  
c. 91, s. 4,  
subs. 2,  
amended

(2) The Board shall consist of elected members, each of whom shall be a member of the College and shall hold office for two years, and the Minister of Education and the Minister of Health who are *ex officio* members of the Board. Membership  
of Board

(2) Subsection 3 of the said section 4 is amended by striking out "at least five" in the first line and inserting in lieu thereof "a majority", so that the subsection shall read as follows: R.S.O. 1960,  
c. 91, s. 4,  
subs. 3,  
amended

(3) The presence of a majority of the elected members of the Board is necessary to constitute a quorum. Quorum



R.S.O. 1960,  
c. 91, s. 4,  
subs. 4,  
amended

(3) Subsection 4 of the said section 4 is amended by striking out "resident" in the third line and inserting in lieu thereof "practising", by inserting after "district" in the third line "except for York for which electoral district two members shall be elected" and by striking out "a resident of" in the fourth line and inserting in lieu thereof "practising in", so that the subsection shall read as follows:

One  
member  
for each  
electoral  
district,  
exception

(4) One member shall be elected for each electoral district mentioned in the Schedule by the members of the College practising in the district, except for York for which electoral district two members shall be elected, and every person so elected must be practising in the electoral district for which he is elected and no person is eligible for election as a representative of an electoral district who is a member of a dental faculty and in receipt of salary or other remuneration for his services thereon.

R.S.O. 1960,  
c. 91, s. 4,  
subs. 5,  
re-enacted

(4) Subsection 5 of the said section 4 is repealed and the following substituted therefor:

One  
member  
from  
university,  
college or  
other body  
in Ontario

(5) One member shall be elected by and from the faculty of each university, college or other body in Ontario that is authorized to conduct a course or courses in dentistry and to grant degrees in dentistry and is actively conducting such course or courses in the year in which such election is held.

R.S.O. 1960,  
c. 91, s. 4,  
subs. 6,  
cl. b,  
re-enacted

(5) Clause *b* of subsection 6 of the said section 4 is repealed and the following substituted therefor:

(b) where the vacancy occurs in the representation of a faculty of dentistry, the remaining members of such faculty shall elect a duly qualified person to fill the vacancy;

(c) where a candidate dies after the nominations for election to the Board and before the closing of the polls, the Board shall fix other days for the nomination and for the election.

R.S.O. 1960,  
c. 91, s. 10,  
subs. 2,  
amended

4. Subsection 2 of section 10 of *The Dentistry Act* is amended by striking out "or" at the end of clause *c*, by adding "or" at the end of clause *d* and by adding thereto the following clause:

(e) in aid of any association whose objects include improvement of dental health or the making available of better dental services or other benefits to the public or to the dental profession.

5. Subsection 1 of section 14 of *The Dentistry Act* is amended by striking out "and fix and determine the period for which every student shall be articulated and employed under a duly licensed practitioner" in the second, third and fourth lines, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 91, s. 14,  
subs. 1,  
amended

- (1) The Board may prescribe a curriculum of studies to be pursued by students, the examination necessary to be passed and the fees to be paid to the treasurer before a certificate of licence to practise dental surgery is issued.

Curriculum  
for students,  
etc.

6. Section 15 of *The Dentistry Act* is repealed.

R.S.O. 1960,  
c. 91, s. 15,  
repealed

7.—(1) Subsection 1 of section 17 of *The Dentistry Act* is amended by striking out "shall" in the first line and inserting in lieu thereof "may", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 91, s. 17,  
subs. 1,  
amended

- (1) The Board, once at least in every year, may cause to be held at a time fixed by the Board an examination of the candidates for certificates and such titles as the Board has authority to grant.

Annual  
examina-  
tions

(2) Subsection 5 of the said section 17 is amended by inserting after "college" in the third line "or at a national dental examining board", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 91, s. 17,  
subs. 5,  
amended

- (5) The Board may dispense with such examination in the case of a person who proves to the satisfaction of the Board that he has passed in any university or college or at a national dental examining board an examination that the Board deems of equal value.

Accepting  
other  
examination  
as sub-  
stitute

8. Section 21 of *The Dentistry Act* is amended by striking out "his service under articles and" in the sixth and seventh lines, so that the section shall read as follows:

R.S.O. 1960,  
c. 91, s. 21,  
amended

21. Every person desirous of obtaining a licence to practise dentistry in Ontario shall at least one month before the prescribed examination make application in the form prescribed by the Board and pay to the treasurer the prescribed fees, and deliver to the secretary the treasurer's receipt for the fees, together with satisfactory evidence of compliance with the rules and regulations prescribed by the Board, and of his integrity and good morals.

Prepayment  
of examina-  
tion fees

9. Subsection 3 of section 22 of *The Dentistry Act*, as amended by section 1 of *The Dentistry Amendment Act*,

R.S.O. 1960,  
c. 91, s. 22,  
subs. 3,  
amended

1961-62, is further amended by striking out "\$10" in the fifth line and inserting in lieu thereof "\$25", so that the subsection shall read as follows:

Default in  
payment of  
fee

- (3) Where default is made in payment of the annual fee and such default continues for a period of one month, the licence of a member so in default lapses, but such licence may be renewed thereafter upon payment of the fee and an additional sum not exceeding \$25 as is prescribed by by-law of the Board, and such sum is recoverable in the same manner as the annual fee.

R.S.O. 1960,  
c. 91, s. 23,  
subs. 7,  
amended

**10.**—(1) Subsection 7 of section 23 of *The Dentistry Act* is amended by striking out "duly articulated" in the first line and by striking out "clinics and" in the second and third lines and inserting in lieu thereof "public hospitals, clinics and faculties of dentistry or to", so that the subsection shall read as follows:

Saving  
as to  
students

- (7) Nothing in this section prevents any student of dental surgery from receiving instruction in public hospitals, clinics and faculties of dentistry or to practise under the personal supervision of a member of the College.

R.S.O. 1960,  
c. 91, s. 23,  
subs. 8,  
re-enacted

(2) Subsection 8 of the said section 23 is repealed and the following substituted therefor:

Offences

- (8) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable for the first offence to a fine of not less than \$50 and not more than \$200, for the second offence to a fine of not less than \$200 and not more than \$500, and for every subsequent offence to a fine of not less than \$500, and he is not entitled to sue or recover in any court for any services that he performed or materials that he provided in the ordinary and customary work of a dental surgeon.

R.S.O. 1960,  
c. 91, s. 24,  
re-enacted

**11.** Section 24 of *The Dentistry Act*, as amended by section 2 of *The Dentistry Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Suspension  
and cancel-  
lation of  
certificates

- 24.**—(1) Where a member of the College has been heretofore or is hereafter convicted in Canada or elsewhere of an indictable offence, which conviction remains unreversed, or has been or is guilty of any infamous, disgraceful or improper conduct in a professional respect, he is subject to the disciplinary action and liable to the penalties provided for in this

Act, but no disciplinary action shall be taken or any penalty imposed if the conviction is for a political offence committed out of the Commonwealth or for an offence that, though indictable, ought not, either from its nature or from the circumstances under which it was committed, to justify such disciplinary action or the imposition of such penalties.

- (2) Where a member of the College is guilty of infamous, <sup>Idem</sup> disgraceful or improper conduct in a professional respect, he is subject to disciplinary action and liable to the penalties provided for in this Act, notwithstanding that he has been acquitted of a criminal charge in respect of the same case.
- (3) The Board or the executive committee thereof of <sup>Inquiry</sup> its own motion may, or, upon the application in writing of four members of the College, the president shall, instruct the discipline committee to inquire into any case in which it is alleged that a member of the College is liable to disciplinary action or the imposition of penalties for any of the causes mentioned in subsection 1.

24a.—(1) The Board may by by-law provide for, <sup>Complaints committee</sup>

- (a) the establishment of a complaints committee, which shall have authority to consider complaints regarding the conduct or actions of a member of the College and to refer any such complaint, in whole or in part, to the discipline committee;
- (b) the composition and quorum of the complaints committee; and
- (c) the procedure to be followed by the complaints committee in the conduct of its business.

- (2) Notwithstanding subsection 1 and any by-law passed thereunder, the Board or the executive committee thereof, or the president on the application in writing of four members of the College, shall continue to have the authority mentioned in subsection 3 of section 24 to direct that an inquiry be made by the discipline committee into any case of alleged infamous, disgraceful or improper conduct in a professional respect on the part of a member of the College. <sup>Inquiry powers in s. 24, subs. 3, not affected</sup>



R.S.O. 1960,  
c. 91, s. 25,  
subs. 1,  
amended

**12.**—(1) Subsection 1 of section 25 of *The Dentistry Act* is amended by adding at the end thereof “and exercising the disciplinary functions and imposing the penalties provided for by this Act”, so that the subsection shall read as follows:

Discipline  
committee

- (1) The Board shall appoint and always maintain a discipline committee of its own body for the purpose of ascertaining the facts of each case that may become the subject of inquiry and exercising the disciplinary functions and imposing the penalties provided for by this Act.

R.S.O. 1960,  
c. 91, s. 25,  
subs. 10,  
amended

(2) Subsection 10 of the said section 25 is amended by striking out “in the county or district in which the member whose conduct is the subject of inquiry resides, unless such member and the Board agree to the meeting being held” in the second, third, fourth and fifth lines, so that the subsection shall read as follows:

Place of  
meeting

- (10) All meetings of the committee for taking evidence or otherwise ascertaining the facts shall be held at the city of Toronto.

R.S.O. 1960,  
c. 91, s. 25,  
subs. 17-21,  
re-enacted

(3) Subsections 17, 18, 19, 20 and 21 of the said section 25 are repealed and the following substituted therefor:

Duties  
of the  
discipline  
committee

(17) The committee shall,

- (a) inquire into the conduct of any member of the College when so directed by the Board or the executive committee thereof or by the president;
- (b) hold hearings into charges made against members of the College in accordance with the practice and procedure prescribed by this section and the by-laws;
- (c) inquire into and report to the Board upon an application by a former member of the College to have his certificate of licence restored; and
- (d) perform such other duties as are assigned to it by the Board.

Powers of  
discipline  
committee

(18) Where after a hearing the committee finds that a member of the College is guilty of infamous, disgraceful or improper conduct in a professional respect, it may by order do any or all of the following things:



1. Suspend the certificate of licence of such member for a period of not more than twelve months.
  2. Impose upon such member a fine of not more than \$1,000.
  3. Direct that such member be reprimanded and, if deemed warranted, that the fact of such reprimand be recorded on the record of such member.
  4. Direct that the imposition of a penalty be suspended or postponed for such period and upon such terms as it may designate and that, upon compliance with the terms, any penalty imposed be remitted.
  5. Direct that such member pay to the College the costs of and incidental to the inquiry, which may include fees and disbursements for work done or proceedings taken before the inquiry was held and the cost of reporting and transcribing evidence.
- (19) The costs, including the costs of appeal, if any, shall be taxed on the Supreme Court scale by the taxing officer of the Supreme Court at Toronto and shall, as far as practicable, be the same as in an action in the Supreme Court, and, upon the certificate of the taxing officer, execution may issue out of the Supreme Court for the collection of such costs by the College as upon a judgment in an action in such Court. Taxation and collection of costs
- (20) Where the complaint is found to be frivolous or vexatious, the committee may direct that such costs as to it seem just be paid to the member of the College whose conduct is the subject of inquiry. Costs in frivolous or vexatious complaints
- (21) Where the committee is of the opinion that the certificate of licence of a member of the College should be cancelled or suspended for a period of more than twelve months, it shall make a report of the facts and its findings and recommendations thereon to the Board and may therewith transmit a transcript of the evidence taken at the inquiry, but the committee may suspend the certificate of licence of such member pending the decision of the Board. Suspension of the certificate of licence for a period exceeding twelve months

R.S.O. 1960,  
c. 91,  
amended

**13.** *The Dentistry Act* is amended by adding thereto the following section:

Powers and  
duties of  
the Board in  
disciplinary  
matters

25a.—(1) The powers and duties of the Board in disciplinary matters are,

- (a) to receive and record reports of the discipline committee in respect of cases that have been completely dealt with by the committee and from which no appeal has been taken;
- (b) to receive and consider reports of the discipline committee,
  - (i) in cases in which the committee is of the opinion that the penalty imposed should include cancellation or suspension for more than twelve months of the certificate of licence of the member of the College,
  - (ii) in cases of appeal from the decision of the committee, or
  - (iii) in applications for the restoration of the certificate of licence of a member of the College,

and to make such findings and orders in respect thereof and impose such penalties as the Board considers proper.

Idem

- (2) The Board may act upon the report of the discipline committee or may require that it be furnished with a transcript of the evidence taken and may refer the matter back to the committee to take additional evidence.

Idem

- (3) The Board may impose upon a member of the College any penalty that the discipline committee is authorized to impose or may direct that the certificate of licence of such member be cancelled or suspended for such period as the Board considers proper.

Idem

- (4) The Board may direct the restoration of the certificate of licence of a member of the College and that such restoration be subject to the payment by the member of such fee, not exceeding the initial registration fee, as the Board specifies.

- (5) The Board may require any member of the College who in the opinion of the Board is performing sub-standard dental services in general or in some specific branch of dentistry in particular to present himself for such course or courses of prescribed instruction and at the end of such course or courses to present himself for such re-examination or re-examinations that in the opinion of the Board is or are required to demonstrate his competence, and may suspend the certificate of licence of such member pending satisfactory demonstration of his competence on such examination or examinations.

Power of  
the Board to  
require re-  
examination

**14.** Section 27 of *The Dentistry Act* is repealed and the following substituted therefor: /

R.S.O. 1960,  
c. 91, s. 27,  
re-enacted

- 27.—(1) Any member of the College aggrieved by any decision or order of the discipline committee may appeal to the Board within thirty days from the date of such decision or order and may further appeal to the Court of Appeal at any time within thirty days from the date of any decision or order of the Board by which he is aggrieved, and the Board or the Court of Appeal, as the case may be, may upon the hearing of such appeal make such order in the matter and as to the costs of the hearing of the appeal as the Board or the Court of Appeal deems proper.

Appeal

- (2) The practice and procedure upon and in relation to an appeal to the Court of Appeal shall be similar to that provided by *The County Courts Act*, except that the proceedings and evidence shall be certified by the secretary of the College to the Court of Appeal.

Practice and  
procedure  
on appeal  
R.S.O. 1960,  
c. 76

**15.** Section 28 of *The Dentistry Act* is repealed.

R.S.O. 1960,  
c. 91, s. 28,  
repealed

**16.** Paragraph 3 of the Schedule to *The Dentistry Act* is amended by inserting after "Nipissing" in the second line "Patricia", so that the paragraph shall read as follows:

R.S.O. 1960,  
c. 91,  
Sched.,  
amended

Electoral District No. 3 shall consist of the following districts:  
Algoma, Kenora, Manitoulin, Nipissing, Patricia, Parry Sound,  
Rainy River, Sudbury, Thunder Bay, Cochrane, and Timiskam-  
ing.

**17.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**18.** This Act may be cited as *The Dentistry Amendment Act, 1966*.

Short title



## CHAPTER 39

## An Act to amend The Department of Agriculture Act

*Assented to, except sections 7 and 8, May 18th, 1966*

*Sections 7 and 8 assented to July 8th, 1966*

*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The title to *The Department of Agriculture Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 92,  
title,  
re-enacted

### THE DEPARTMENT OF AGRICULTURE AND FOOD ACT

2. Section 1 of *The Department of Agriculture Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 92, s. 1,  
re-enacted

1. In this Act,

Interpre-  
tation

- (a) "Department" means the Department of Agriculture and Food;
- (b) "Minister" means the Minister of Agriculture and Food.

3. Subsection 1 of section 2 of *The Department of Agriculture Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 92, s. 2,  
subs. 1,  
re-enacted

- (1) The department of the public service heretofore known as the Department of Agriculture is continued under the name "Department of Agriculture and Food". Department  
continued

4. Section 3 of *The Department of Agriculture Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 92, s. 3,  
re-enacted

3. Subject to *The Public Service Act, 1961-62*, there may be appointed a Deputy Minister of Agriculture and Food and such other officers, clerks and servants as the Minister deems necessary for the proper conduct of the business of the Department. Deputy  
Minister  
and staff  
1961-62,  
c. 121



R.S.O. 1960,  
c. 92, s. 4,  
cl. a,  
re-enacted

**5.**—(1) Clause *a* of section 4 of *The Department of Agriculture Act* is repealed and the following substituted therefor:

- (a) the administration of the law relating to agriculture and food in all their branches.

R.S.O. 1960,  
c. 92, s. 4,  
cls. c, d,  
repealed

- (2) Clauses *c* and *d* of the said section 4 are repealed.

R.S.O. 1960,  
c. 92, s. 5,  
subs. 1,  
re-enacted

**6.**—(1) Subsection 1 of section 5 of *The Department of Agriculture Act* is repealed and the following substituted therefor:

Establish-  
ment of  
programmes

- (1) Upon the recommendation of the Minister, the Lieutenant Governor in Council may establish programmes for the encouragement of any branch of agriculture or food.

R.S.O. 1960,  
c. 92, s. 5,  
subs. 3,  
amended

- (2) Subsection 3 of the said section 5 is amended by inserting after "agriculture" in the second line "or food", so that the subsection shall read as follows:

Fees

- (3) A programme may require that fees be paid by persons engaged in the branch of agriculture or food to which the programme applies and may fix the amounts thereof.

R.S.O. 1960,  
c. 92, s. 5<sup>b</sup>,  
(1965, c. 27,  
s. 1),  
subs. 1,  
amended

**7.**—(1) Subsection 1 of section 5<sup>b</sup> of *The Department of Agriculture Act*, as re-enacted by section 1 of *The Department of Agriculture Amendment Act, 1965*, is amended by adding thereto the following clause:

- (c) the principal sum of \$1,000 together with interest thereon made to farmers who incur crop losses occasioned by adverse weather in any year for the purpose of purchasing seed, plants, insecticide materials, herbicide materials, agricultural limestone or fertilizer in the next year.

R.S.O. 1960,  
c. 92, s. 5<sup>b</sup>,  
(1965, c. 27,  
s. 1),  
amended

- (2) The said section 5<sup>b</sup> is amended by adding thereto the following subsection:

Payment of  
interest by  
Ontario

- (1a) Where a guarantee is given under clause *c* of subsection 1, the Lieutenant Governor in Council may, upon the recommendation of the Minister, authorize the payment by the Province of Ontario of the whole or any part of the interest on the loan for the whole or any part of the term of the guarantee.

**8.** Payments of interest made under subsection 1a of <sup>Moneys</sup> section 5b of *The Department of Agriculture Act*, as enacted by subsection 1 of section 7, during the fiscal year ending on the 31st day of March, 1967, shall be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

**9.** Any mention of or reference to the Minister of Agriculture or the Department of Agriculture in any Act or regulation shall be deemed to be a mention of or reference to the Minister of Agriculture and Food or the Department of Agriculture and Food, respectively. <sup>Change of name and title in other Acts</sup>

**10.**—(1) This Act, except sections 7 and 8, comes into <sup>Commence-</sup>force on the day it receives Royal Assent. <sup>ment</sup>

(2) Sections 7 and 8 shall be deemed to have come into force <sup>Idem</sup> on the 1st day of April, 1966.

**11.** This Act may be cited as *The Department of Agriculture* <sup>Short title</sup> *Amendment Act, 1966.*



## CHAPTER 40

## An Act to amend The Department of Education Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 5 of *The Department of Education Act*, as amended by section 1 of *The Department of Education Amendment Act, 1964*, is further amended by adding "or" at the end of clause *d* and by adding thereto the following clause:

R.S.O. 1960,  
c. 94, s. 10,  
amended

- (e) who, under the terms of an arrangement approved by the Minister, were absent from a secondary school because of their early enrolment at a university or polytechnical institute in Ontario.

**2.—**(1) Clause *d* of subsection 2 of section 10 of *The Department of Education Act* is amended by striking out "pupils" in the second line, so that the clause shall read as follows:

R.S.O. 1960,  
c. 94, s. 10,  
subs. 2,  
cl. *d*,  
amended

- (d) recommend reference books and library books for use by teachers and teachers-in-training.

text and  
reference  
books

(2) Clause *e* of subsection 2 of the said section 10 is amended by striking out "Grade 13" in the first line, so that the clause shall read as follows:

R.S.O. 1960,  
c. 94, s. 10,  
subs. 2,  
cl. *e*,  
amended

- (e) approve text-books for use in teachers' colleges and provincial technical and polytechnical institutes.

idem

**3.** Paragraph 33 of subsection 1 of section 12 of *The Department of Education Act*, as amended by subsection 2 of section 3 of *The Department of Education Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960  
c. 94, s. 12,  
subs. 1,  
par. 33,  
re-enacted

33. governing the selection and approval of text-books, library books and reference books for use in Grades 1 to 13 inclusive.

approve  
books

Commence-  
ment

**4.**—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1966.

Short title

**5.** This Act may be cited as *The Department of Education Amendment Act, 1966*.



CHAPTER 41

An Act to establish the Department  
of Financial and Commercial Affairs

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. In this Act,

Interpre-  
tation

(a) "Department" means the Department of Financial  
and Commercial Affairs;

(b) "Minister" means the Minister of Financial and  
Commercial Affairs.
2. There shall be a department of the public service to be  
known as the Department of Financial and Commercial  
Affairs.

Department  
established
3. The Minister shall preside over and have charge of the  
Department.

Minister  
to have  
charge
4. The Minister is responsible for the administration of  
this Act, any Acts that are assigned to him by the Legislature  
or by the Lieutenant Governor in Council, and the following  
Acts:

Minister's  
Acts

1. *The Bailiffs Act, 1960-61.*

1960-61, c. 5

2. *The Collection Agencies Act.*

R.S.O. 1960,  
c. 58

3. *The Credit Unions Act.*

R.S.O. 1960,  
c. 79

4. *The Deposits Regulation Act, 1962-63.*

1962-63,  
c. 36

5. *The Insurance Act.*

R.S.O. 1960,  
c. 190

6. *The Investment Contracts Act.*

R.S.O. 1960,  
c. 194

7. *The Loan and Trust Corporations Act.*

R.S.O. 1960,  
c. 222
8.

R.S.O. 1960,  
c. 227

8. *The Marine Insurance Act.*

R.S.O. 1960,  
c. 244

9. *The Mortgage Brokers Registration Act.*

R.S.O. 1960,  
c. 304

10. *The Prepaid Hospital and Medical Services Act.*

R.S.O. 1960,  
c. 344

11. *The Real Estate and Business Brokers Act.*

1966, c. 142

12. *The Securities Act, 1966.*

1964, c. 121

13. *The Used Car Dealers Act, 1964.*

Minister's  
powers and  
duties

**5.** The Minister may exercise the powers and shall perform the duties of the Attorney General in any Act mentioned in section 4, or in any regulation made under any such Act, so long as he administers such Act.

References  
to Attorney  
General

**6.** A reference to the Attorney General in any Act mentioned in section 4, or in any regulation made under any such Act, shall be deemed to be a reference to the Minister so long as he administers such Act.

Assignment  
of Acts to  
Minister

**7.** The Lieutenant Governor in Council may assign the administration of any Act to the Minister, in which case the Minister may exercise the powers and shall perform the duties of the minister named in the Act so assigned so long as he administers such Act.

Assignment  
of Minister's  
Acts to  
other  
ministers

**8.** The Lieutenant Governor in Council may assign the administration of any Act that is being administered by the Minister to any other minister, in which case such other minister may exercise the powers and shall perform the duties of the minister named in the Act so assigned.

Officers  
and staff  
1961-62,  
c. 121

**9.** Such officers, clerks and servants may be appointed or transferred under *The Public Service Act, 1961-62* as are deemed necessary from time to time for the proper conduct of the business of the Department.

Expenses

**10.**—(1) Except during the fiscal year ending the 31st day of March, 1967, the expenses of the Department shall be paid out of the moneys appropriated therefor by the Legislature.

Idem

(2) During the fiscal year ending the 31st day of March, 1967, the expenses of the Department shall be paid out of the Consolidated Revenue Fund.

Commence-  
ment

**11.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**12.** This Act may be cited as *The Department of Financial and Commercial Affairs Act, 1966.*

## CHAPTER 42

# **An Act to amend The Department of Municipal Affairs Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 47 of *The Department of Municipal Affairs Act* R.S.O. 1960,  
c. 98, s. 47,  
amended is amended by adding thereto the following subsection:

(4a) Where a notice has been sent under subsection 4 to a corporation, the treasurer shall, within the time limit in subsection 4, send by registered mail to the Public Trustee a copy of the notice so sent. Copy of  
notice to  
Public  
Trustee

**2.** Section 71 of *The Department of Municipal Affairs Act* R.S.O. 1960,  
c. 98, s. 71,  
amended is amended by adding thereto the following subsection:

(3) Where an improvement district or part of an improvement district is erected into a town, village or township, the tax arrears procedures of this Part apply to such town, village or township and the tax sale procedures of *The Assessment Act* do not apply, and the use or disposition of any land vested in the municipality under the tax arrears procedures and the application of the proceeds of such use or disposition are subject to the approval of the Department. Tax arrears  
procedures  
re improve-  
ment  
districts  
erected into  
towns, etc.  
R.S.O. 1960,  
c. 23

**3.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**4.** This Act may be cited as *The Department of Municipal Affairs Amendment Act, 1966*. Short title



## CHAPTER 43

**An Act to amend  
The Department of Public Welfare Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 3 of *The Department of Public Welfare Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 100, s. 3,  
amended

(2) The Minister, with the approval of the Lieutenant Governor in Council, may, on behalf of the Government of Ontario, make agreements with the Crown in right of Canada respecting the payment by Canada to Ontario of any portion of any expenditures heretofore or hereafter made by Ontario or by any municipality under any Act for the administration of which the Minister is responsible. Agreements  
with  
Canada  
authorized

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Department of Public Welfare Amendment Act, 1966*. Short title





## CHAPTER 44

**The Department of  
Tourism and Information Act, 1966**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Department" means the Department of Tourism and Information;
- (b) "information centre" means a place that is held out to the public as being available for or engaged in furnishing travel information to the public, whether for hire or reward or otherwise;
- (c) "Minister" means the Minister of Tourism and Information;
- (d) "operate" means have the management and control;
- (e) "regulations" means the regulations made under this Act;
- (f) "sleeping accommodation" includes a campsite where any facility or service is provided for the supply of water or electricity or for the disposal of garbage or sewage;
- (g) "tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include,
  - (i) a camp operated by a charitable corporation approved under *The Charitable Institutions Act, 1962-63*, or

(ii)

R.S.O. 1960,  
c. 321

(ii) a summer camp within the meaning of the regulations made under *The Public Health Act*, or

(iii) a club owned by its members and operated without profit or gain. R.S.O. 1960, c. 402, s. 1; 1964, c. 23, s. 2, *amended*.

Department  
continued

**2.**—(1) The department of the public service known as the Department of Tourism and Information is continued. 1964, c. 23, s. 3.

Duties of  
Minister

(2) The Minister shall preside over and have charge of the Department and is responsible for the administration of such Acts and regulations made thereunder as are assigned to him by the provisions thereof or by the Lieutenant Governor in Council. R.S.O. 1960, c. 103, ss. 2 (2), 4.

Object

**3.**—(1) The object of the Department is,

(a) to preserve and develop tourist and recreational attractions;

(b) to encourage and promote improvement in the standards of accommodation, facilities and services offered to the travelling and vacationing public; and

(c) to publicize the tourist industry and the resources, attractions and advantages of Ontario. R.S.O. 1960, c. 103, s. 3, *amended*.

Expenses

(2) The expenses of the Department in carrying out its object shall be paid out of the moneys appropriated therefor by the Legislature. R.S.O. 1960, c. 103, s. 6.

Annual  
report

**4.** The Minister shall after the close of each year submit to the Lieutenant Governor in Council an annual report upon the affairs of the Department and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1964, c. 23, s. 4.

Investi-  
gation

**5.** The Minister may by order appoint one or more persons to investigate, inquire into and report to him upon any matter connected with or affecting the tourist industry, including accommodation, facilities or services offered to tourists, or the advertising or publicizing thereof, or of the resources, attractions or advantages of Ontario, and, for the purposes of the investigation and inquiry, any person making the investigation may administer oaths to witnesses and require them to give evidence under oath. R.S.O. 1960, c. 103, s. 7, *amended*.

**6.**—(1) No person shall operate a tourist establishment without a licence therefor issued in accordance with the regulations. <sup>Licences</sup>

(2) No person shall establish a tourist establishment or make an addition to or a structural alteration in a tourist establishment without a permit therefor issued in accordance with the regulations. <sup>Permit</sup> *New.*

**7.**—(1) The holder of a licence to operate a tourist establishment shall, <sup>Filing and posting up of rates</sup>

(a) file with the Minister the rates for sleeping accommodation in the tourist establishment and alterations therein; and

(b) post up the rates filed under clause *a* at the times and in the manner prescribed by the regulations.

(2) No person shall require or accept a payment for sleeping accommodation in excess of the rates filed with the Minister under subsection 1 and the regulations. <sup>Charging of rates</sup> *New.*

**8.** No person shall publish advertising matter or display any sign respecting tourist facilities, accommodation, services or attractions that does not comply with the regulations. <sup>Advertising</sup> R.S.O. 1960, c. 103, s. 9, *amended.*

**9.**—(1) The Minister may designate employees of the Department as inspectors. <sup>Inspectors</sup>

(2) An inspector may inspect the premises, books and records of any tourist establishment for the purpose of enforcing this Act and the regulations, and, for the purpose of an inspection, may, <sup>Duties</sup>

(a) enter the premises of the tourist establishment or any part thereof and be accompanied on his inspection by a duly qualified medical practitioner, a constable or police officer, a municipal building or sanitary inspector, or an inspector appointed under *The Hotel Fire Safety Act, The Liquor Licence Act* or *The Power Commission Act*; and <sup>R.S.O. 1960, cc. 179, 218, 300</sup>

(b) require the production of the books and records of the tourist establishment, and examine and copy such books and records or any part thereof. *New.*

**10.**—(1) The Lieutenant Governor in Council may set apart as an historical park any area in Ontario in which there <sup>Designation of historical parks</sup>

is an object, site or land of historical significance for the use by the people of Ontario in connection with the enjoyment of such historic object, site or land.

Manage-  
ment

(2) Every historical park is under the control and management of the Minister.

Acquisition  
of land  
R.S.O. 1960,  
c. 338

(3) Land may be acquired under *The Public Works Act* for the purpose of this section. *New.*

Penalty  
for breach  
of Act

**11.—**(1) Every person who contravenes any provision of this Act is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000. R.S.O. 1960, c. 103, s. 12, *amended.*

Penalty for  
breach of  
regulations

(2) Every person who contravenes any provision of the regulations is guilty of an offence and on summary conviction is liable to a fine of not more than \$500. 1964, c. 117, s. 3 (1), *amended.*

Operating  
tourist  
establish-  
ment  
without a  
licence

(3) In addition to the penalty provided in subsection 1, a person who is convicted of a contravention of section 6 is liable to a fine of \$10 for each day the offence continues, not exceeding ninety days. 1964, c. 117, s. 3 (2), *amended.*

Regulations

**12.—**(1) The Lieutenant Governor in Council may make regulations,

- (a) providing for the issuance of permits and licences, prescribing the terms and conditions of the permits and licences, or any class thereof, and providing for their suspension or cancellation;
- (b) requiring the holders of permits and licences to make such returns and reports as are prescribed;
- (c) requiring the payment of fees in respect of the issuance of permits and licences and renewals thereof, and fixing the amounts of the fees;
- (d) providing for the apportionment and distribution of moneys appropriated by the Legislature for the maintenance, development and promotion of the tourist industry and historical institutions, and providing for the conditions governing the payment thereof;
- (e) governing the content and the publication or display of advertising matter or signs respecting tourist facilities, accommodation, services or attractions;

(f)



- (f) governing the plans and specifications of tourist establishments, or any class thereof, and the facilities and equipment that shall be provided;
- (g) requiring information centres, or any class thereof, to be licensed, and providing for the inspection of licensed information centres and their books and records;
- (h) governing the operation of information centres and tourist establishments, or any class thereof;
- (i) prescribing the times when and the manner in which rates for sleeping accommodation in tourist establishments and alterations therein shall be filed with the Minister and posted up under section 7;
- (j) prescribing forms and providing for their use;
- (k) exempting any class of tourist establishment from this Act or the regulations or from any provision thereof;
- (l) requiring the payment of fees in respect of the use of historical parks or any part thereof or of any service provided therein and prescribing the amount of such fees;
- (m) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 103, s. 11; 1960-61, c. 21, s. 1; R.S.O. 1960, c. 402, s. 2, *amended*.

(2) Any regulation made under subsection 1 may be general or particular in its application. R.S.O. 1960, c. 402, s. 2 (3), *amended*.

### 13. The following are repealed:

Repeal:

1. *The Department of Tourism and Information Act.* R.S.O. 1960, c. 103
2. *The Department of Travel and Publicity Amendment Act, 1960-61.* 1960-61, c. 21
3. *The Department of Travel and Publicity Amendment Act, 1964.* 1964, c. 23
4. *The Tourist Establishments Act.* R.S.O. 1960, c. 402
5. *The Tourist Establishments Amendment Act, 1964.* 1964, c. 117

Commence-  
ment

**14.**—(1) This Act, except section 7, comes into force on the day it receives Royal Assent.

Idem

(2) Section 7 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**15.** This Act may be cited as *The Department of Tourism and Information Act, 1966*.

## CHAPTER 45

## An Act to amend The Devolution of Estates Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) *The Devolution of Estates Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 106,  
amended

12a. Sections 11 and 12 do not apply to the surviving spouse of a person who dies intestate and is survived by one or more infant children by a former marriage. Application  
of secs.  
11 and 12

(2) Section 12a of *The Devolution of Estates Act*, as enacted by subsection 1, applies to the property of persons dying intestate on or after the 1st day of September, 1966. Application

2.—(1) Subsection 1 of section 13 of *The Devolution of Estates Act*, as amended by section 1 of *The Devolution of Estates Amendment Act*, 1965, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 106, s. 13,  
subs. 1,  
re-enacted

- (1) Real property not disposed of, conveyed to, divided or distributed among the persons beneficially entitled thereto under section 21 by the personal representative within three years after the death of the deceased is, subject to *The Land Titles Act* in the case of land registered under that Act and subject to subsections 6 and 7 of section 58 of *The Registry Act*, and subject as hereinafter provided, at the expiration of that period, whether probate or letters of administration have or have not been taken, thenceforth vested in the persons beneficially entitled thereto under the will or upon the intestacy or their assigns without any conveyance by the personal representative, unless such personal representative, if any, has registered, in the proper registry or land titles office, a caution (Form 1) under his hand, and, if a caution is so registered, the real property mentioned therein does Vesting  
of real  
estate not  
disposed of  
within  
3 years  
  
R.S.O. 1960,  
cc. 204, 348

not

not so vest for three years from the time of the registration of the caution or of the last caution if more than one was registered.

R.S.O. 1960,  
c. 106, s. 13,  
subss. 3, 4,  
re-enacted

(2) Subsections 3 and 4 of the said section 13 are repealed and the following substituted therefor:

Effect

(3) A caution registered or re-registered under this section or under section 15 is effectual only as to the real property mentioned in the caution.

Withdrawal  
of caution

(4) The personal representative, before the expiration of the three years, may register a certificate (Form 2) withdrawing the caution in respect of the real property described in the certificate, and, upon registration of the certificate, the real property described therein shall be treated as if the caution had expired.

R.S.O. 1960,  
c. 106, s. 15,  
subs. 1,  
cl. b,  
amended

3. Clause *b* of subsection 1 of section 15 of *The Devolution of Estates Act* is amended by striking out "or the part thereof mentioned in the caution" in the third and fourth lines and inserting in lieu thereof "mentioned in the caution, or part thereof", so that the clause shall read as follows:

(b) a further affidavit stating that he finds or believes that it is or may be necessary for him to sell the real property of the deceased, mentioned in the caution, or part thereof, under his powers and in fulfilment of his duties, and, as far as they are known to him, the names of all persons beneficially interested in the real property, and whether any, and, if so, which of them, are infants or mentally incompetent persons; and

. . . . .

R.S.O. 1960,  
c. 106,  
Forms 1, 2,  
re-enacted

4. Forms 1 and 2 of *The Devolution of Estates Act* are repealed and the following substituted therefor:

#### FORM 1

#### *The Devolution of Estates Act*

#### (Section 13 (1) )

#### CAUTION

I, ....., executor of (or administrator with the will annexed of, or administrator of)....., who died on or about the.....day of....., 19....., certify that it may be necessary for me under my powers and in fulfilment of my duty as executor (or administrator) to sell the real property of the said..... as hereinafter described, or part thereof, and of this all persons concerned are hereby required to take notice.

The real property to be affected by this caution is described as follows:  
(Describe the real property in a manner sufficient for registration under *The Land Titles Act* or *The Registry Act*, as the case may be.)

## FORM 2

*The Devolution of Estates Act*

(Section 13 (4) )

## CERTIFICATE OF WITHDRAWAL

I, ....., executor (or administrator) of  
 ....., hereby withdraw the caution heretofore regis-  
 tered with respect to the real property hereinafter described: (*Describe the  
 real property in a manner sufficient for registration under The Land Titles  
 Act or The Registry Act, as the case may be.*)

**5.**—(1) This Act, except sections 2, 3 and 4, comes into <sup>Commence-</sup>  
 force on the day it receives Royal Assent.

(2) Sections 2, 3 and 4 come into force on a day to be named <sup>Idem</sup>  
 by the Lieutenant Governor by his proclamation.

**6.** This Act may be cited as *The Devolution of Estates* <sup>Short title</sup>  
*Amendment Act, 1966.*





## CHAPTER 46

## An Act to amend The District Welfare Administration Boards Act, 1962-63

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *c* of section 1 of *The District Welfare Administration Boards Act, 1962-63* is repealed and the following substituted therefor: 1962-63,  
c. 37, s. 1,  
cl. *c*,  
re-enacted

(c) “district” means an area in that part of Ontario forming the territorial districts as defined by the regulations.

(2) Subclause iv of clause *g* of the said section 1 is repealed and the following substituted therefor: 1962-63,  
c. 37, s. 1,  
cl. *g*,  
subcl. iv,  
re-enacted

(iv) expenditures for the operating costs of children’s aid societies.

2. Section 2 of *The District Welfare Administration Boards Act, 1962-63* is repealed and the following substituted therefor: 1962-63,  
c. 37, s. 2,  
re-enacted

2. This Act applies to the towns, villages, townships and improvement districts in each district, but a municipality having a population of more than 15,000 may by by-law, subject to the approval of the Minister, exempt itself from the application of this Act. Application

3. *The District Welfare Administration Boards Act, 1962-63* is amended by adding thereto the following section: 1962-63,  
c. 37,  
amended

4a. Where a municipality that is included in the municipalities for which a board is established is erected into a city, the city may, at the request of the council and with the approval of the Minister, continue to be a municipality to which this Act applies. Where  
municipality  
erected  
into city

1962-63,  
c. 37, s. 9,  
amended

**4.** Section 9 of *The District Welfare Administration Boards Act, 1962-63* is amended by adding thereto the following clause:

(aa) defining districts for the purposes of clause *c* of section 1.

Commence-  
ment

**5.** This Act comes into force on the 1st day of September, 1966.

Short title

**6.** This Act may be cited as *The District Welfare Administration Boards Amendment Act, 1966*.

## CHAPTER 47

## An Act to amend The Drainage Act, 1962-63

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 60 of *The Drainage Act, 1962-63* <sup>1962-63, c. 39, s. 60, subs. 1, re-enacted</sup> is repealed and the following substituted therefor:

- (1) Upon the written request of three-quarters of the owners of land assessed for benefit in respect of a drainage works, who, according to the last revised assessment roll, own not less than three-quarters of the area assessed for benefit as shown in the by-law or by-laws under which the drainage works exist, asking for the abandonment of such drainage works or a part thereof, the council of the initiating municipality shall forthwith notify all owners of land assessed for the drainage works by prepaid mail, at their addresses as shown in the last revised assessment roll, of its intention to abandon such drainage works, or such part thereof as is specified in the notice, unless any owner, within ten days of the mailing of such notice, gives to the clerk of the municipality written notice that he requires a report of an engineer to be made on such proposed abandonment, or the council of the initiating municipality may give such notice of its intention to abandon a drainage works or such part thereof as is specified in the notice without any written request.

2. Subsection 5 of section 66 of *The Drainage Act, 1962-63* <sup>1962-63, c. 39, s. 66, subs. 5, amended</sup> is amended by adding at the end thereof "and expenses for secretarial services", so that the subsection shall read as follows:

- (5) The referee or an acting referee shall be paid such remuneration as the Lieutenant Governor in Council determines, together with his reasonable travelling expenses and expenses for secretarial services.

1962-63,  
c. 39, s. 77,  
subs. 1,  
amended

**3.**—(1) Subsection 1 of section 77 of *The Drainage Act, 1962-63* is amended by inserting after “referee” in the sixth line “or court”, so that the subsection shall read as follows:

Assessing  
damages  
and costs  
payable by  
municipi-  
palities

- (1) Except as provided by subsections 2, 3 and 4, all damages and costs payable by a municipality and arising from proceedings taken under this Act shall be levied upon the lands and roads in any way assessed for the drainage works for construction, improvement or maintenance, in such manner as the referee or court determines, and may be assessed, levied and collected in the same manner as rates assessed, levied and collected for maintenance under this Act.

1962-63,  
c. 39, s. 77,  
subs. 3,  
amended

(2) Subsection 3 of the said section 77 is amended by inserting after “referee” in the fourth line and in the fifth line “or court”, so that the subsection shall read as follows:

In cases of  
settlement

- (3) Where in any such proceedings by or against a municipality a settlement is made, the damages and costs payable under the terms of the settlement by any municipality shall be borne and paid as directed by the referee or court, and in making such direction the referee or court shall have regard to the provisions of subsection 2.

1962-63,  
c. 39, s. 77,  
subs. 4,  
amended

(3) Subsection 4 of the said section 77 is amended by inserting after “referee” in the first line and in the fifth line “or court”, so that the subsection shall read as follows:

Where  
extension  
of drainage  
works  
necessary

- (4) Where, in the opinion of the referee or court, damages and costs have become payable by reason of the insufficiency of the capacity or outlet of a drainage works and it is necessary in order to prevent a continuance of such damage to improve the drainage works, the referee or court may permit the council of the municipality to add such damages and costs to the engineer’s estimate of the cost of any such improvement, and in such case the engineer shall include the amount of such damages and costs in his estimate of the cost of the improvement of the drainage works.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Drainage Amendment Act, 1966*.



## CHAPTER 48

**An Act to repeal The Economic  
Development Loans Guarantee Act, 1962-63**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** *The Economic Development Loans Guarantee Act, 1962-63* <sup>1962-63,  
c. 40,  
repealed</sup>  
is repealed.

**2.** This Act comes into force on a day to be named by the <sup>Commence-  
ment</sup>  
Lieutenant Governor by his proclamation.

**3.** This Act may be cited as *The Economic Development* <sup>Short title</sup>  
*Loans Guarantee Repeal Act, 1966.*



## CHAPTER 49

**An Act to amend The Edible Oil Products Act**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *e* of section 1 of *The Edible Oil Products Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 115, s. 1,  
cl. *e*,  
re-enacted

(*e*) "Minister" means the Minister of Agriculture and Food.

**2.**—(1) Clause *e* of section 7 of *The Edible Oil Products Act* is amended by striking out "and the labelling of containers" in the first and second lines, so that the clause shall read as follows: R.S.O. 1960,  
c. 115, s. 7,  
cl. *e*,  
amended

(*e*) respecting the advertising of any edible oil product or class of edible oil product.

(2) The said section 7 is amended by adding thereto the following clause: R.S.O. 1960,  
c. 115, s. 7,  
amended

(*ea*) requiring and providing for the identification by labelling or otherwise of any edible oil product or class of edible oil product sold or offered for sale.

**3.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**4.** This Act may be cited as *The Edible Oil Products Amendment Act, 1966*. Short title



## CHAPTER 50

**The Elderly Persons Centres Act, 1966**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,Inter-  
pretation

- (a) "approved centre" means a centre approved under section 2;
- (b) "approved corporation" means a corporation approved under section 2;
- (c) "centre" means a social and recreational centre for elderly persons;
- (d) "corporation" means a corporation incorporated under the laws of Ontario without share capital and with objects of a charitable nature;
- (e) "Minister" means the Minister of Public Welfare;
- (f) "regulations" means the regulations made under this Act. 1961-62, c. 37, s. 1, *amended*.

**2.** The Lieutenant Governor in Council may approve any corporation or any centre for the purposes of this Act. 1961-62, *c. 37, s. 3, amended*. Approval of  
corporations  
and centres

**3.—(1)** The Lieutenant Governor in Council may direct payment to an approved corporation for the erection, alteration, extension, renovation or acquisition of a building or premises for use as a centre of an amount determined by the regulations but not exceeding 30 per cent of the cost thereof to the approved corporation, as computed in accordance with the regulations, but no payment shall be made unless the council of the municipality in which the building or premises is situate, or the council of that municipality together with the councils of one or more contiguous municipalities, directs payment to the approved corporation of a sum equal to at least 20 per cent of the cost as so computed. Capital  
grants to  
centres



Maintenance  
and  
operating  
grants

(2) There shall be paid to every approved corporation a sum computed in accordance with the regulations towards the cost of maintaining and operating its approved centre, but no payment shall be made unless the council of the municipality in which the centre is situate, or the council of that municipality together with the councils of one or more contiguous municipalities, directs payment to the approved corporation of a sum equal to at least the percentage prescribed by the regulations of the cost as so computed. 1961-62, c. 37, s. 4 (1), *amended*.

Special  
grants

4. The Lieutenant Governor in Council may make grants in accordance with the regulations in respect of services, facilities or research, other than those provided for in this Act, for elderly persons. *New*.

Approval  
of plans

5. No grant under subsection 1 of section 3 shall be made until the Minister has approved the site and plans of the building being erected, altered, extended, renovated or acquired. 1961-62, c. 37, s. 5, *amended*.

Approval  
of changes

6.—(1) No approved corporation that has been paid a grant under subsection 1 of section 3 in respect of an approved centre shall,

(a) change its name or the name of the approved centre;  
or

(b) change the site or sell or otherwise dispose of any part of or structurally alter the approved centre,

without the written approval of the Minister.

Approval  
of by-laws

(2) No by-law of an approved corporation that affects an approved centre in respect of which a grant under subsection 1 of section 3 has been paid has effect until it is approved in writing by the Minister. 1961-62, c. 37, s. 6, *amended*.

Regulations

7. The Lieutenant Governor in Council may make regulations,

(a) specifying the corporations and centres that are approved for the purposes of this Act;

(b) governing applications for grants;

(c) for the purpose of subsection 1 of section 3, prescribing,

(i) the manner of determining the amount of the grants payable thereunder, and

(ii)

- (ii) the components that may be included in and the manner of computing the cost to an approved corporation of erecting, altering, extending, renovating or acquiring buildings or premises;
- (d) prescribing the manner of computing the grants mentioned in subsection 2 of section 3;
- (e) respecting the grants mentioned in section 4;
- (f) prescribing the terms and conditions upon which grants may be made;
- (g) prescribing the method, time and manner of the payment of grants;
- (h) prescribing the uses to which approved centres may be put and the rules governing the operation of such centres;
- (i) prescribing the records that shall be kept under this Act and the returns that shall be made to the Minister;
- (j) prescribing forms and providing for their use;
- (k) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1961-62, c. 37, s. 7, *amended*.

**8.** The moneys required for the purposes of this Act shall, <sup>Moneys</sup> until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature. 1961-62, c. 37, s. 4 (2), *amended*.

**9.** *The Elderly Persons' Social and Recreational Centres Act*, <sup>1961-62, c. 37,</sup> 1961-62 is repealed. <sup>repealed</sup>

**10.** This Act comes into force on a day to be named by the <sup>Commence-</sup> Lieutenant Governor by his proclamation. <sup>ment</sup>

**11.** This Act may be cited as *The Elderly Persons Centres* <sup>Short title</sup> Act, 1966.



## CHAPTER 51

## An Act to amend The Evidence Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Evidence Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 125,  
amended

35a.—(1) In this section,

Interpre-  
tation

(a) “business” includes every kind of business, profession, occupation, calling, operation or activity, whether carried on for profit or otherwise;

(b) “record” includes any information that is recorded or stored by means of any device.

(2) Any writing or record made of any act, transaction, occurrence or event is admissible as evidence of such act, transaction, occurrence or event if made in the usual and ordinary course of any business and if it was in the usual and ordinary course of such business to make such writing or record at the time of such act, transaction, occurrence or event or within a reasonable time thereafter. Where  
business  
records  
admissible

(3) The circumstances of the making of such a writing or record, including lack of personal knowledge by the maker, may be shown to affect its weight, but such circumstances do not affect its admissibility. Surrounding  
circum-  
stances

(4) Nothing in this section affects the admissibility of any evidence that would be admissible apart from this section or makes admissible any writing or record that is privileged. Previous  
rules as  
to admissi-  
bility and  
privileged  
documents  
not  
affected

**2.** *The Evidence Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 125,  
amended

Medical  
reports

50a.—(1) Any medical report signed by a duly qualified medical practitioner licensed to practise in any part of Canada is, with the leave of the court, admissible in evidence in any action.

Where  
doctor  
called un-  
necessarily

(2) Where a duly qualified medical practitioner has been required to give evidence *viva voce* in an action and the court is of opinion that the evidence could have been produced as effectively by way of a medical report, the court may order the party that required the attendance of the medical practitioner to pay as costs therefor such sum as it deems appropriate.

Commence-  
ment

**3.**—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Section 2 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**4.** This Act may be cited as *The Evidence Amendment Act, 1966*.



## CHAPTER 52

## An Act to amend The Executive Council Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 2 of *The Executive Council Act*, as amended by R.S.O. 1960,  
c. 127, s. 2,  
re-enacted section 1 of *The Executive Council Amendment Act, 1960-61* and section 1 of *The Executive Council Amendment Act, 1964*, is repealed and the following substituted therefor:

- 2.** The Lieutenant Governor may appoint under the Heads of  
departments Great Seal from among the ministers of the Crown the following ministers to hold office during pleasure: a President of the Council, a Minister of Justice and Attorney General, a Provincial Secretary and Minister of Citizenship, a Treasurer, a Minister of Lands and Forests, a Minister of Mines, a Minister of Agriculture and Food, a Minister of Public Works, a Minister of Highways, a Minister of Education, a Minister of Labour, a Minister of Health, a Minister of Public Welfare, a Minister of Municipal Affairs, a Minister of Economics and Development, a Minister of Tourism and Information, a Minister of Reform Institutions, a Minister of Transport, a Minister of Energy and Resources Management, a Minister of University Affairs, a Minister of Financial and Commercial Affairs, and such other ministers as he sees fit, and may by order in council prescribe their duties and the duties of the several departments over which they preside, and of the officers and clerks thereof.

**2.** This Act comes into force on the day it receives Royal Commence-  
ment Assent.

**3.** This Act may be cited as *The Executive Council Amend-Short title  
ment Act, 1966*.



## CHAPTER 53

**An Act to amend  
The Expropriation Procedures Act, 1962-63**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Expropriation Procedures Act, 1962-63* is amended <sup>1962-63,  
c. 43,  
amended</sup> by adding thereto the following section:

- 1a.—(1) Notwithstanding any general or special Act, no <sup>Authority to expropriate</sup> conservation authority, hospital or university shall expropriate land without the prior authority of a judge.
- (2) Where a conservation authority, hospital or university <sup>Application</sup> intends to expropriate land, it shall apply to a judge for an order authorizing it so to do.
- (3) The judge shall, in writing, appoint a day, time and place for the hearing of the application and in his <sup>Appointment for hearing</sup> appointment may direct that it shall be served upon such persons, in addition to the registered owner of the land intended to be expropriated, as he prescribes.
- (4) The appointment shall be served at least one month <sup>Service of appointment</sup> before the day appointed for the hearing of the application.
- (5) Where the judge is satisfied that the expropriation <sup>Authorization order</sup> of the land in whole or in part is reasonably necessary for the purpose of the applicant, he may make an order authorizing the expropriation of the land in whole or in part.
- (6) The expropriating authority or an owner may <sup>Appeal</sup> appeal to the Court of Appeal from an order of a judge under subsection 5 within thirty days from the date of the order, and the practice and procedure as to

the

the appeal and proceedings incidental thereto shall be the same *mutatis mutandis* as upon an appeal from the High Court.

Registration  
of plan

- (7) Where an order is made under subsection 5, the applicant shall register the plan under section 4, with a copy of the order affixed thereto, within six months of the date of the order or the final disposition of any appeal, as the case may be, and, if the plan is not so registered, the order is void.

Exception  
to s. 12

- (8) Where land is expropriated by a conservation authority, hospital or university, the compensation for the expropriation shall be determined as of the date of the application to the judge for an appointment under subsection 3 for the hearing.

1962-63,  
c. 43, s. 12,  
amended

**2.** Section 12 of *The Expropriation Procedures Act, 1962-63* is amended by inserting after "to" in the first line "subsection 6 of section 1a and", so that the section shall read as follows:

Date for  
determining  
compensa-  
tion

12. Subject to subsection 6 of section 1a and subsection 2 of section 5, where land has been expropriated, the compensation therefor shall be determined as of the date of registration of the plan under subsection 1 or 5 of section 4.

Commence-  
ment

**3.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**4.** This Act may be cited as *The Expropriation Procedures Amendment Act, 1966*.

## CHAPTER 54

**An Act to provide  
Benefits to Persons and Families in Need**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,****Interpre-  
tation**

- (a) "allowance" means an allowance provided on the basis of need under this Act and the regulations;
- (b) "applicant" means a person who applies, or on whose behalf an application is made, for one or more benefits;
- (c) "beneficiary" means a person on whose behalf a benefit is provided;
- (d) "benefit" means a benefit provided on the basis of need under this Act and the regulations, and includes an allowance;
- (e) "dependent child" means a person who resides in Ontario and,
  - (i) is supported by his mother, dependent father or the person who stands *in loco parentis* to him,
  - (ii) is under twenty-one years of age, and
  - (iii) attends an educational institution of a class defined by the regulations and is making satisfactory progress with his studies;
- (f) "dependent father" means a father who is permanently unemployable by reason of physical or mental disability, and includes a father who is blind or otherwise disabled as defined by the regulations;

(g)



- (g) "Director" means the Director of the Family Benefits Branch of the Department of Public Welfare;
- (h) "field worker" means a person employed as such by the Department of Public Welfare or any other employee of the Department whom the Minister designates as such;
- (i) "Minister" means the Minister of Public Welfare;
- (j) "mother" means the mother of a dependent child;
- (k) "recipient" means a person to whom an allowance is provided;
- (l) "regional administrator" means a regional welfare administrator or any other employee of the Department of Public Welfare whom the Minister designates as such for the purposes of this Act;
- (m) "regulations" means the regulations made under this Act.

Agreements  
with  
Canada

**2.** Where the Minister, with the approval of the Lieutenant Governor in Council, has made an agreement on behalf of the Government of Ontario with the Crown in right of Canada respecting the payment by Canada to Ontario, in accordance with the *Canada Assistance Plan* and the regulations made under it, of any portion of any expenditures made by Ontario pursuant to this Act and the regulations thereunder and for any reason the Government of Canada ceases to make the contributions provided for under the *Canada Assistance Plan* or fails to carry out the agreement, all benefits under this Act shall cease.

Duties of  
Director

**3.—(1)** The Director shall,

- (a) receive applications for benefits; and
- (b) determine the eligibility of each applicant to receive a benefit and, where the applicant is eligible, determine the amount of the allowance or other benefit and direct provision thereof accordingly, and may from time to time vary any amount so determined.

Acting  
Director

(2) Where the Director is absent or there is a vacancy in the office, his powers and duties shall be exercised and performed by such civil servant as the Minister designates.

4. The Director, every regional administrator and every field worker is, in the performance of his duties under this Act, a commissioner for taking affidavits within the meaning of *The Commissioners for taking Affidavits Act*.

Power  
to take  
affidavits

R.S.O. 1960,  
c. 59

5. An allowance,

No attach-  
ment, etc.,  
of allow-  
ances

(a) is not subject to alienation or transfer by the recipient; and

(b) is not subject to attachment or seizure in satisfaction of any claim against the recipient.

6. The receipt of a benefit does not by itself constitute a disqualification of the recipient or beneficiary from voting at any provincial or municipal election.

Voting  
rights

7.—(1) An allowance shall and other benefits may be provided in accordance with the regulations to any person in need who is resident in Ontario as determined by the regulations and,

Who  
entitled  
to an  
allowance  
and other  
benefits

(a) who has attained the age of sixty-five years and who is not in receipt of a pension under the *Old Age Security Act* (Canada); or

R.S.C. 1952,  
c. 200

(b) who has attained the age of sixty years but has not attained the age of sixty-five years and is a widow, an unmarried woman, or a woman,

(i) whose husband is a patient in an institution under *The Mental Hospitals Act*, a sanatorium under *The Sanatoria for Consumptives Act*, a hospital for the chronically ill or a nursing home, or a resident in a home for the aged under *The Homes for the Aged Act* or *The Charitable Institutions Act, 1962-63*, and has been a patient or resident therein, as the case may be, for a continuous period of six months or more,

R.S.O. 1960,  
cc. 236, 359

R.S.O. 1960,  
c. 174  
1962-63,  
c. 11

(ii) whose husband has deserted her for three months or more and his whereabouts is unknown,

(iii) whose husband is imprisoned in a penal institution and at the date of application has a term of imprisonment remaining to be served of six months or more,

(iv) who is divorced and has not remarried, or

(v)

- (v) who is living separate and apart from her husband and has been living separate and apart from him for a continuous period of five years or more; or
- (c) who has attained the age of eighteen years and is blind or otherwise disabled as defined by the regulations and is not in receipt of a pension under the *Old Age Security Act* (Canada); or
- (d) who is a mother with a dependent child and,
  - (i) who is a widow, or
  - (ii) whose husband has deserted her for three months or more, or
  - (iii) whose husband has deserted her and was a dependent father at the time of the desertion, or
  - (iv) whose husband is a patient in a sanatorium, hospital or similar institution, or
  - (v) whose husband is imprisoned in a penal institution and at the date of the application has a term of imprisonment remaining to be served of six months or more, or
  - (vi) who is divorced from the father of her dependent child and has not remarried, or
  - (vii) whose dependent child was born out of wedlock, where the mother is sixteen years or more of age and her dependent child is three months or more of age; or
- (e) who is a dependent father with a dependent child and,
  - (i) who lives with the mother of his dependent child, or
  - (ii) whose wife has deserted him, or
  - (iii) whose wife is a patient in a sanatorium, hospital or similar institution, or is imprisoned in a penal institution, or
  - (iv) who is a widower; or

R.S.C. 1952,  
c. 200

(f) who is a foster-mother with a foster child.

(2) No benefit shall be provided in respect of a dependent child who is under eighteen years of age and who is not attending school, unless the dependent child, Qualifications for children

(a) is of pre-school age; or

(b) is unable to attend school by reason of mental or physical disability; or

(c) is on vacation from school and the Director is satisfied that the dependent child will return to school at the end of the vacation period.

(3) Any benefit may be suspended or cancelled if the recipient fails to comply with any requirement of this Act or the regulations. Failure to comply with Act and regulations

**8.**—(1) In cases presenting special circumstances and in which investigation shows the advisability of an allowance being provided to an applicant who is not eligible for an allowance, the Lieutenant Governor in Council may direct that an allowance be provided to the applicant. Special cases

(2) The Director may determine the amount of any allowance directed to be provided under subsection 1 and may from time to time vary the amount so determined. Variation of amount

(3) Every person who is provided with an allowance under subsection 1 is eligible for other benefits as if he were eligible under subsection 1 of section 7. Additional benefits

**9.** A benefit shall be provided only after the receipt by the Director of an application therefor in the prescribed form. Application

**10.**—(1) Where a recipient dies, his allowance shall be paid to the end of the month in which he died. Where recipient dies

(2) In the case of a recipient,

(a) for whom a committee or trustee is acting; or

(b) who, in the opinion of the Director, is using or is likely to use his allowance otherwise than for his own benefit, or is incapacitated or is incapable of handling his affairs,

Where allowance may be paid to a trustee, etc.

the Director may appoint a person to act for the recipient, and the allowance may be paid for the benefit of the recipient to the committee or trustee or to the person so appointed.



Compensation

(3) A person acting for a recipient under subsection 2 is not entitled to any fee or other compensation or reward or to any reimbursement for any costs or expenses incurred by him.

Board of review

**11.**—(1) The Minister shall appoint a board of review, consisting of such number of members as are prescribed by the regulations, and shall designate one of the members as chairman.

Review

(2) Any applicant or recipient may request a hearing and review by the board of review of a decision, order or directive of the Director affecting the applicant or recipient, as the case may be.

Powers of review

(3) Where a hearing and review are requested, the board of review shall hold a hearing and may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the board of review deems proper, and thereupon the Director shall act accordingly.

Order final

(4) The order of the board of review is final, but a further application for a benefit may be made by the applicant upon new or other evidence or where it is clear that material circumstances have changed.

Offences

**12.**—(1) No person shall knowingly obtain or receive a benefit that he is not entitled to obtain or receive under this Act and the regulations.

Idem

(2) No person shall knowingly aid or abet another person to obtain or receive a benefit that such other person is not entitled to obtain or receive under this Act and the regulations.

Idem

(3) Every person who contravenes subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than six months, or to both fine and imprisonment.

Regulations

**13.** The Lieutenant Governor in Council may make such regulations with respect to benefits as are deemed necessary for carrying out the purposes of this Act, and in particular,

(a) defining person in need, blind person, disabled person and permanently unemployable person;

(b) defining classes of educational institutions for the purpose of clause *e* of section 1;

(c)



- (c) prescribing additional duties of the Director;
- (d) prescribing the duties of regional administrators and field workers;
- (e) determining residence for the purposes of section 7;
- (f) governing the manner of applying for benefits;
- (g) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before a benefit is provided or while a benefit is being provided;
- (h) designating the number of members of the board of review, and prescribing its procedures;
- (i) establishing a medical advisory board of one or more persons to advise the Director in the performance of his duties;
- (j) designating benefits or classes of benefits;
- (k) prescribing the maximum amounts of benefits;
- (l) prescribing the manner of computing the amount of benefits;
- (m) prescribing the manner in which and the times and intervals at which an allowance is to be provided;
- (n) providing for the suspension, cancellation, reinstatement and transfer of allowances and other benefits;
- (o) prescribing standards of eligibility for benefits in addition to those mentioned in this Act;
- (p) prescribing classes of persons, in addition to those mentioned in this Act, to whom benefits may be provided;
- (q) requiring and providing for rehabilitation measures;
- (r) providing for the making of investigations for the purposes of this Act of applicants for or recipients or beneficiaries of benefits;
- (s) prescribing forms and providing for their use.

**14.**—(1) In this section, “predecessor Act” means any of <sup>Interpre-</sup> the following: <sup>tation</sup>

- R.S.O. 1960,  
c. 35      1. *The Blind Persons' Allowances Act.*
- R.S.O. 1960,  
c. 107      2. *The Disabled Persons' Allowances Act.*
- R.S.O. 1960,  
c. 164, s. 7a  
(1962-63,  
c. 53, s. 4)      3. Section 7a of *The General Welfare Assistance Act*,  
as enacted by section 4 of *The General Welfare  
Assistance Amendment Act, 1962-63.*
- R.S.O. 1960,  
c. 247      4. *The Mothers' Allowances Act.*
- 1962-63,  
c. 86      5. *The Mothers' and Dependent Children's Allowances  
Amendment Act, 1962-63.*
- 1964, c. 65      6. *The Mothers' Allowances Amendment Act, 1964.*
- R.S.O. 1960,  
c. 267      7. *The Old Age Assistance Act.*

New applications      (2) After this Act comes into force, applications for benefits shall be made under this Act and not under any predecessor Act.

Pending applications      (3) Any application pending under any predecessor Act when this Act comes into force may be deemed for all purposes to be an application under this Act.

Transfers      (4) Where a person is a recipient under a predecessor Act when this Act comes into force, he shall, if eligible therefor, be paid an allowance under this Act, and his eligibility therefor shall be determined in so far as is possible in accordance with the information contained in the application and other documents on file under the predecessor Act.

Idem      (5) Notwithstanding subsection 4, a recipient under a predecessor Act shall not be transferred under subsection 4 if to do so would result in a reduction of his allowance at the time of his transfer.

Assistance limited      (6) A recipient under this Act is not entitled to assistance or an allowance under any predecessor Act.

Moneys      **15.** The moneys required to provide benefits and for the administration of this Act shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature.

Repeal      **16.** The Lieutenant Governor by his proclamation may from time to time repeal any of the predecessor Acts mentioned in subsection 1 of section 14.

**17.** This Act comes into force on a day to be named by <sup>Commence-</sup><sub>ment</sub> the Lieutenant Governor by his proclamation.

**18.** This Act may be cited as *The Family Benefits Act, 1966*. <sup>Short title</sup>



## CHAPTER 55

## An Act to amend The Farm Loans Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Farm Loans Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 133,  
amended

50. Where it appears to the Lieutenant Governor in Council that an association has ceased to operate, he may dissolve it, appoint a liquidator of its estate and effects, and make such provisions as he deems appropriate for the disposal of its property and records. Dissolution  
by Lieu-  
tenant  
Governor  
in Council

**2.** This Act may be cited as *The Farm Loans Amendment Act, 1966*. Short title





## CHAPTER 56

## An Act to amend The Farm Products Marketing Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subparagraph iv of paragraph 11a of subsection 1 of section 8 of *The Farm Products Marketing Act*, as enacted by subsection 4 of section 6 of *The Farm Products Marketing Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 137, s. 8,  
subs. 1,  
par. 11a  
(1962-63,  
c. 45, s. 6,  
subs. 4),  
subpar. iv,  
re-enacted

- (iv) the cancelling or reducing of, or the refusing to increase, a quota fixed and allotted to any person for the marketing of a regulated product for any reason that the Board deems proper.

(2) Paragraph 12 of subsection 1 of the said section 8 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 137, s. 8,  
subs. 1,  
par. 12,  
re-enacted

12. providing for the control and regulation of the marketing of any regulated product, including the times and places at which the regulated product may be marketed.

(3) Paragraph 12a of subsection 1 of the said section 8, as enacted by section 2 of *The Farm Products Marketing Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 137, s. 8,  
subs. 1,  
par. 12a  
(1961-62,  
c. 41, s. 2),  
re-enacted

- 12a. providing for the control and regulation of agreements entered into by producers of a regulated product with persons engaged in marketing or processing the regulated product, and the prohibition of any provision or clause in such agreements.

(4) Paragraphs 28a and 28b of subsection 1 of the said section 8, as enacted by subsection 12 of section 6 of *The Farm Products Marketing Amendment Act, 1962-63*, are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 137, s. 8,  
subs. 1,  
pars. 28a,  
28b  
(1962-63,  
c. 45, s. 6,  
subs. 12),  
re-enacted

- 28a. requiring any person who produces a regulated product to offer to sell and to sell the regulated product to or through the local board constituted to administer the plan under which the regulated product is regulated;
- 28b. prohibiting any person from processing, packing or packaging any of the regulated product that has not been sold to, by or through the local board constituted to administer the plan established for the control and regulation of the marketing of the regulated product;
- 28c. authorizing any local board to appoint agents, to prescribe their duties and terms and conditions of employment and to provide for their remuneration;
- 28d. providing for the making of agreements relating to the marketing of any regulated product by or through a local board, and prescribing the forms and the terms and conditions of such agreements.

R.S.O. 1960,  
c. 137, s. 18  
(1962-63,  
c. 45, s. 11),  
subs. 1,  
cl. b,  
amended

**2.—**(1) Clause *b* of subsection 1 of section 18 of *The Farm Products Marketing Act*, as enacted by section 11 of *The Farm Products Marketing Amendment Act, 1962-63*, is amended by striking out “and” where it occurs the first time in the second line and inserting in lieu thereof “or”, so that the clause shall read as follows:

(b) “producing” means planting, growing, harvesting, curing or preparing for sale, and “produced” and “production” have corresponding meanings.

R.S.O. 1960,  
c. 137, s. 18  
(1962-63,  
c. 45, s. 11),  
subs. 2,  
cl. b,  
subcl. iv,  
re-enacted

(2) Subclause iv of clause *b* of subsection 2 of the said section 18 is repealed and the following substituted therefor:

(iv) the cancelling or reducing of, or the refusing to increase, a tobacco acreage or other production quota fixed and allotted to any person for any reason that the Board deems proper.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Farm Products Marketing Amendment Act, 1966*.

## CHAPTER 57

## An Act to amend The Financial Administration Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 2 of *The Financial Administration Act*, as re-enacted by section 1 of *The Financial Administration Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 142, s. 2,  
subs. 3  
(1961-62,  
c. 43, s. 1),  
re-enacted

(3) The Lieutenant Governor in Council shall appoint an officer to be called the Secretary of the Treasury Board, who shall perform such functions as the Treasury Board may assign to him. Secretary

(3a) Such other officers and employees as are necessary for the proper conduct of the business of the Treasury Board shall be appointed under *The Public Service Act, 1961-62*. Officers and  
employees  
1961-62,  
c. 121

2. Section 3 of *The Financial Administration Act* is amended by striking out "and" where it occurs the first time in the third line and by inserting after "commitments" in the third line "organization and staff establishments", so that the section shall read as follows: R.S.O. 1960,  
c. 142, s. 3,  
amended

3. The Treasury Board shall act as a committee of the Executive Council on all matters relating to finance, revenues, estimates, expenditures, financial commitments, organization and staff establishments and on any other matter concerning general administrative policy in the public service that is referred to the Board by the Executive Council or on which the Board considers it desirable to report to the Executive Council. Functions of  
Treasury  
Board

3. *The Financial Administration Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 142,  
amended

Interpre-  
tation

22a.—(1) In this section, “tax” includes any tax, impost, duty or toll payable to Her Majesty, imposed or authorized to be imposed by any Act of this Legislature, and “penalty” includes any forfeiture or pecuniary penalty imposed or authorized to be imposed by any Act of the Legislature for any contravention of the laws relating to the collection of the revenue or to the management of any public work producing toll or revenue, notwithstanding that part of such forfeiture or penalty is payable to any other person.

Remission  
of taxes,  
etc.

(2) Notwithstanding any other Act, the Lieutenant Governor in Council, on the recommendation of the Treasurer, may, if he considers it in the public interest, remit any tax, fee or penalty.

Idem,  
may be  
partial,  
etc.

(3) A remission pursuant to this section may be total or partial, conditional or unconditional, and may be granted,

(a) before, after or pending any suit or proceeding for the recovery of the tax, fee or penalty in respect of which it is granted;

(b) before or after any payment thereof has been made or enforced by process or execution; or

(c) in the case of a tax or fee, in any particular case or class of case and before the liability therefor arises.

Idem,  
form of

(4) A remission under this section may be granted,

(a) by forbearing to institute a suit or proceeding for the recovery of the tax, fee or penalty in respect of which the remission is granted;

(b) by delaying, staying or discontinuing any suit or proceeding already instituted;

(c) by forbearing to enforce, staying or abandoning any execution or process upon any judgment;

(d) by the entry of satisfaction upon any judgment; or

(e) by repaying any sum of money paid to or recovered by the Treasurer for the tax, fee or penalty.



- (5) Where a remission is granted under this section subject to a condition and the condition is not performed, it may be enforced or all proceedings may be had as if there had been no remission. Idem, conditional
- (6) A conditional remission, upon performance of the condition, and an unconditional remission, have effect as if the remission was made after the tax, fee or penalty in respect of which it was granted had been sued for and recovered. Effect of conditional remission
- (7) Remissions granted under this or any other Act may be paid out of the Consolidated Revenue Fund. Payments
- (8) A statement of each remission of \$1,000 or more granted under this section shall be reported to the Legislature in the public accounts. Report
- (9) Where a penalty imposed by any law relating to the revenue has been wholly and unconditionally remitted under this section, the remission has the effect of a pardon for the offence for which the penalty was incurred, and thereafter the offence has no legal effect prejudicial to the person to whom the remission was granted. Remission has effect of pardon

4. This Act comes into force on the day it receives Royal Assent. Commencement

5. This Act may be cited as *The Financial Administration Amendment Act, 1966*. Short title



## CHAPTER 58

**An Act to amend The Fire Departments Act**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *c* of section 13 of *The Fire Departments Act* is amended by striking out "established under an Act" in the third line, so that the clause shall read as follows:

R.S.O. 1960,  
c. 145, s. 13,  
cl. *c*,  
amended

- (*c*) in the case of a municipality employing any full-time fire fighters, unless there is in force for the full-time fire fighters a pension plan under which the municipality contributes an amount that is not less than 5 per cent of the salaries of the members participating in the plan.

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Fire Departments Amendment Act, 1966*.

Short title



## CHAPTER 59

## An Act to amend The Fire Marshals Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 10 of *The Fire Marshals Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 148, s. 10,  
subs. 1,  
re-enacted

- (1) Every person, syndicate, reciprocal exchange or corporation transacting business as an insurer for fire insurance within the meaning of *The Insurance Act* shall, in addition to the taxes and fees now required by law to be paid, pay to the Treasurer of Ontario on or before the 15th day of March in each year such sum as is determined by the Lieutenant Governor in Council, not exceeding 1 per cent, calculated upon the gross premiums, fixed payments and assessments, other than those in respect of reinsurance ceded to such insurer by other insurers, received during the preceding year in respect of fire insurance business transacted in Ontario, excluding,

Fund for  
expenses  
of Fire  
Marshal  
R.S.O. 1960,  
c. 190

(a) premiums returned; and

(b) the cash value of dividends paid or credited to policyholders by mutual insurance companies and reciprocal exchanges,

as shown by the annual statement furnished to the Superintendent of Insurance under *The Insurance Act*.

(2) Subsection 2 of the said section 10 is repealed.

R.S.O. 1960,  
c. 148, s. 10,  
subs. 2,  
repealed

**2.**—(1) This Act, except subsection 1 of section 1, comes into force on the day it receives Royal Assent.

Commence-  
ment

(2) Subsection 1 of section 1 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Idem

**3.** This Act may be cited as *The Fire Marshals Amendment Act, 1966*.

Short title





## CHAPTER 60

**An Act to amend  
The Game and Fish Act, 1961-62**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 8 of *The Game and Fish Act*, 1961-62, c. 48, s. 8, 1961-62, is amended by striking out "the Ontario Fishery Regulations or the *Migratory Birds Convention Act* (Canada) or the regulations made under that Act" in the eleventh, twelfth and thirteenth lines, so that the subsection shall read as follows: <sup>subs. 1, amended</sup>

- (1) An officer may, without a search warrant, <sup>Search of vehicles, vessels, etc.</sup>
- (a) stop, enter and search any aircraft, vehicle or vessel;
  - (b) enter and search any fishing, hunting, mining, lumber or construction camp, or any office of any common carrier, or any premises where pelts are bought or sold; and
  - (c) open and inspect any trunk, box, bag, parcel or receptacle,

if he has reasonable grounds to believe that any of them contains any game or fish killed, taken, shipped or had in possession in contravention of this Act or the regulations.

**2.** *The Game and Fish Act*, 1961-62 is amended by adding thereto the following section: <sup>1961-62, c. 48, amended</sup>

- 8a. An officer may inspect any fire-arm in a locality in which game may be found or on any highway or road leading thereto or on waters adjacent thereto. <sup>Inspection of fire-arms</sup>

1961-62,  
c. 48, s. 14,  
amended

3. Section 14 of *The Game and Fish Act, 1961-62* is amended by striking out "the Ontario Fishery Regulations or the *Migratory Birds Convention Act* (Canada) or the regulations made under that Act" in the fifth, sixth and seventh lines, so that the section shall read as follows:

Power of  
inspection of  
documents  
by officers

14. No person shall refuse to allow an officer to examine any book, invoice or document containing any entry or memorandum relating to game or fish that the officer suspects of being taken or possessed in contravention of this Act or the regulations, and he shall afford every reasonable facility for the examination, and, upon refusal, the officer may, without a search warrant, break any lock or fastening that may be necessary in order to conduct the examination and remove any such book, invoice or document to safe-keeping.

1961-62,  
c. 48, s. 15,  
subs. 1,  
amended

4.—(1) Subsection 1 of section 15 of *The Game and Fish Act, 1961-62* is amended by striking out "the Ontario Fishery Regulations or the *Migratory Birds Convention Act* (Canada) or the regulations made under that Act" in the fourth, fifth and sixth lines, so that the subsection shall read as follows:

Seizure of  
game and  
other  
property

- (1) Any game or fish suspected of having been taken or possessed and any thing, except an aircraft, vehicle or vessel, suspected of having been used in contravention of this Act or the regulations shall be seized.

1961-62,  
c. 48, s. 15,  
subs. 2,  
amended

(2) Subsection 2 of the said section 15 is amended by striking out "the Ontario Fishery Regulations or the *Migratory Birds Convention Act* (Canada) or the regulations made under that Act" in the fifth, sixth and seventh lines, so that the subsection shall read as follows:

Seizure of  
aircraft, etc.

- (2) An aircraft, vehicle or vessel,
- (a) suspected of having been used; or
- (b) used in transporting game or fish suspected of having been taken or possessed,
- in contravention of this Act or the regulations may be seized.

1961-62,  
c. 48, s. 20,  
subs. 1,  
re-enacted

5. Subsection 1 of section 20 of *The Game and Fish Act, 1961-62*, as amended by subsections 1 and 2 of section 3 of *The Game and Fish Amendment Act, 1964*, is repealed and the following substituted therefor:

- (1) No person, while engaged in hunting or trapping <sup>Fire-arms in game areas</sup> game or while going to or returning from a hunting camp or locality in which game may be found, shall,

(a) have a loaded fire-arm in or on, or discharge a loaded fire-arm from, an aircraft or a vehicle; or

(b) in any county designated in the regulations, discharge a fire-arm from or across a highway, road, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, used or intended for use by the public for the passage of vehicles; or

(c) in any part of Ontario that is not in a county designated in the regulations, discharge a fire-arm from or across the travelled portion of a highway, road, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, used or intended for use by the public for the passage of vehicles.

6. *The Game and Fish Act, 1961-62* is amended by adding thereto the following section: <sup>1961-62, c. 48, amended</sup>

54a. No person shall touch or interfere with any set trap, <sup>Interference with traps</sup> unless authorized so to do by law or by the owner thereof.

7. Section 66 of *The Game and Fish Act, 1961-62* is repealed. <sup>1961-62, c. 48, s. 66, repealed</sup>

8. *The Game and Fish Act, 1961-62* is amended by adding thereto the following heading and sections: <sup>1961-62, c. 48, amended</sup>

#### FROGS

67a. No person shall take or attempt to take frogs by <sup>Waters set apart</sup> any means from waters set apart for the conservation or propagation of frogs, but the Minister may, in writing, authorize frogs to be taken from such waters for scientific purposes.

67b. No person shall take a bullfrog during a closed <sup>Closed season</sup> season.

67c. Except under the authority of a licence and on such terms and conditions and in such parts of Ontario as the Lieutenant Governor in Council prescribes, no person shall take bullfrogs for the purpose of sale or barter. <sup>Taking bullfrogs for sale</sup>

1961-62,  
c. 48, s. 78,  
subs. 1,  
amended

**9.** Subsection 1 of section 78 of *The Game and Fish Act, 1961-62* is amended by striking out "the Ontario Fishery Regulations, the *Migratory Birds Convention Act* (Canada) or the regulations made under that Act" in the fourth, fifth and sixth lines, so that the subsection shall read as follows:

Money  
payment as  
security for  
appearance  
in court

- (1) The Minister may authorize any officer to collect a money payment as security for appearance in court from any person against whom the officer is about to lay an information for an offence against this Act or the regulations.

1961-62,  
c. 48, s. 83,  
amended

**10.**—(1) Section 83 of *The Game and Fish Act, 1961-62*, as amended by section 6 of *The Game and Fish Amendment Act, 1962-63* and section 16 of *The Game and Fish Amendment Act, 1964*, is further amended by adding thereto the following paragraph:

- 6a. designating the species of game birds that may be propagated, sold or possessed for propagation or sale under a licence mentioned in section 50.

1961-62,  
c. 48, s. 83,  
par. 12,  
amended

(2) Paragraph 12 of the said section 83 is amended by inserting after "preserves" in the second line "designating the species of game birds that may be possessed under such a licence", so that the paragraph shall read as follows:

12. limiting the number of licences that may be issued to own or operate game bird hunting preserves, designating the species of game birds that may be possessed under such a licence, prescribing minimum and maximum areas for preserves, requiring and regulating the posting of boundaries of preserves and the release of game on preserves, and regulating the spacing of preserves, the taking or killing of game on preserves and the use of preserves for hunting.

1961-62,  
c. 48, s. 83,  
par. 23,  
re-enacted

(3) Paragraph 23 of the said section 83 is repealed and the following substituted therefor:

23. providing for and establishing a programme to promote the safe handling of fire-arms by hunters;

- 23a. providing for the appointment of examiners and for the examination of applicants for licences and prescribing fees for examinations.

1961-62,  
c. 48, s. 83,  
amended

(4) The said section 83 is further amended by adding thereto the following paragraphs:



- 25a. designating counties for the purpose of subsection 1 of section 20;
- 25b. prescribing the open seasons during which bullfrogs may be taken, the number of bullfrogs that may be possessed by a person who is not the holder of a licence to take bullfrogs for the purpose of sale or barter, the methods by which the holder of such a licence may take bullfrogs, and the parts of Ontario in which bullfrogs may be taken for the purpose of sale or barter.

**11.** Paragraph 3 of section 84 of *The Game and Fish Act*,<sup>1961-62, c. 48, s. 84,</sup> 1961-62 is amended by striking out "fish" in the second line<sup>par. 3,</sup> and inserting in lieu thereof "frogs", so that the paragraph<sup>amended</sup> shall read as follows:

3. setting apart waters for the conservation or propagation of frogs.

**12.** This Act comes into force on the day it receives Royal<sup>Commence-</sup> Assent.<sup>ment</sup>

**13.** This Act may be cited as *The Game and Fish Amendment Act, 1966*.<sup>Short title</sup>



## CHAPTER 61

## The Gasoline Handling Act, 1966

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "associated product" means any product of petroleum, other than gasoline, waxes and asphalts;
- (b) "bulk plant" means one or more storage tanks, including the appurtenances thereto, where gasoline or an associated product is received by pipe line, tank vessel, tank car or tank vehicle and is stored in bulk for the purpose of subsequent transmission or distribution by pipe line, tank vessel, tank car or tank vehicle;
- (c) "flash point" means the lowest temperature, determined by using a Tagliabue closed-cup tester, at which the vapour of a product of petroleum forms a flammable mixture in air;
- (d) "gasoline" means a product of petroleum that has a flash point less than 73°F. and that is designed for burning in an internal combustion engine;
- (e) "inspector" means an inspector appointed for the purposes of *The Energy Act, 1964* and authorized by the Minister to enforce this Act; <sup>1964, c. 27</sup>
- (f) "Minister" means the Minister of Energy and Resources Management;
- (g) "regulations" means the regulations made under this Act. R.S.O. 1960, c. 161, s. 1; 1962-63, c. 50, s. 1; 1964, c. 35, s. 1, *amended*.

Licence  
required  
to sell, etc.,  
gasoline

**2.—**(1) No person shall,

- (a) offer for sale or sell;
- (b) transport; or
- (c) store in a bulk plant,

gasoline or any associated product unless licensed so to do by the Minister. R.S.O. 1960, c. 161, s. 2 (1, 2), *amended*.

Cancellation,  
suspension

(2) The Minister may refuse to issue a licence under this Act to any person and may cancel or suspend any licence issued under this Act where the applicant or licensee, as the case may be, has contravened or failed to comply with any provision of this Act or the regulations. R.S.O. 1960, c. 161, s. 4, *amended*.

No sale,  
installation  
or use of  
equipment  
that is not  
approved

**3.** No person shall offer for sale, sell, install for use or use any equipment for handling, storing, transporting or dispensing gasoline or any associated product that is not approved pursuant to the regulations. *New*.

Inspectors  
1964, c. 27

**4.—**(1) The Minister may authorize any inspector appointed for the purposes of *The Energy Act, 1964* to enforce this Act. *New*.

Powers

(2) Every inspector may,

- (a) enter any premises where he has reason to believe there may be gasoline or any associated product;
- (b) make such examinations, tests and inquiries as are necessary to ascertain whether this Act and the regulations are being complied with;
- (c) take samples of any liquid that he has reason to believe is or may contain gasoline or any associated product; and
- (d) require the production of any licence or other document required by this Act or the regulations, and examine and copy it. R.S.O. 1960, c. 161, s. 10, *amended*.

Instructions

(3) An inspector may give instructions orally or in writing to any person with respect to any matter in order to bring about compliance with this Act and the regulations and may require that his instructions be carried out within such time as he specifies.

(4) Where a person to whom an inspector gives oral instructions requests the inspector to put his instructions in writing, he shall do so. <sup>Idem</sup>

(5) The owner or occupant of any premises and his employees and agents shall furnish all means in his or their power that may be required by an inspector in the exercise of his powers and duties under this Act. <sup>Assistance</sup>

(6) No person shall wilfully delay or hinder an inspector in the exercise of his powers and duties under this Act. <sup>Obstruction</sup> *New.*

**5.—**(1) The Lieutenant Governor in Council may make <sup>Regulations</sup> regulations,

(a) appointing such persons or classes of persons as may be necessary to assist in the enforcement of this Act and the regulations;

(b) exempting any person or class of persons from this Act or the regulations, or any of the provisions thereof;

(c) exempting any equipment or any class thereof from this Act or the regulations, or any of the provisions thereof;

(d) respecting the term, issue, renewal and posting of licences and prescribing the fees therefor;

(e) designating organizations to test equipment to specifications approved by the Minister and, where the equipment conforms to the specifications, to place their label thereon;

(f) respecting the approval of equipment by the Minister;

(g) prescribing grades of gasoline and associated products, and providing for the identification thereof;

(h) prescribing the locations and the methods of operation of equipment used in the handling, storing, transporting and dispensing of gasoline and associated products;

(i) prescribing forms and providing for their use;

(j) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 161, s. 12 (1), *amended.*



**Conflict  
between  
regulations  
and by-laws**

(2) Where conflict exists between any regulation made under this Act and any by-law passed by a municipality in the exercise of its powers, the regulation prevails. R.S.O. 1960, c. 161, s. 12 (3), *amended*.

**Offences  
and  
penalties**

**6.**—(1) Every person who,

(a) contravenes or fails to comply with any provision of this Act or the regulations;

(b) knowingly makes a false statement in any document prescribed under the regulations; or

(c) fails to carry out the instructions of an inspector,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than one year, or to both. R.S.O. 1960, c. 161, ss. 3 (2), 13, 14, 15 (2), *amended*.

**Disposition  
of fines**

(2) The fines imposed for offences under this Act shall be payable to the Treasurer of Ontario. R.S.O. 1960, c. 161, s. 17, *amended*.

**Existing  
licences**

**7.** Every licence issued under the predecessor of this Act and in force on the day this Act comes into force shall be deemed to have been issued under this Act.

R.S.O. 1960,  
c. 161;  
1962-63,  
c. 50;  
1964, c. 35,  
repealed

**8.** *The Gasoline Handling Act, The Gasoline Handling Amendment Act, 1962-63 and The Gasoline Handling Amendment Act, 1964* are repealed.

**Commence-  
ment**

**9.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

**Short title**

**10.** This Act may be cited as *The Gasoline Handling Act, 1966*.

## CHAPTER 62

## An Act to amend The Gasoline Tax Act

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Gasoline Tax Act*, <sup>R.S.O. 1960, c. 162, s. 2, subs. 1, amended</sup> as amended by section 1 of *The Gasoline Tax Amendment Act, 1964*, is further amended by striking out "15" in the amendment of 1964 and inserting in lieu thereof "16", so that the subsection shall read as follows:

(1) Every purchaser of gasoline shall pay to the Minister <sup>Tax payable by purchaser</sup> for the use of the Crown in right of Ontario a charge or tax at the rate of 16 cents per imperial gallon on all gasoline purchased or delivery of which is received by him.

2. This Act comes into force on the 1st day of April, 1966. <sup>Commence-  
ment</sup>

3. This Act may be cited as *The Gasoline Tax Amendment Act, 1966*. <sup>Short title</sup>



## CHAPTER 63

**An Act to establish the  
Grand River Conservation Authority**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "amalgamation period" means the period of time commencing on the day this Act comes into force and ending on the 31st day of December, 1968;
- (b) "Authority" means the Grand River Conservation Authority established under this Act;
- (c) "Board" means the Board of Directors of the Authority;
- (d) "Grand River Watershed" means the area drained by the Grand River and its tributaries;
- (e) "Minister" means the Minister of Energy and Resources Management or other member of the Executive Council designated by the Lieutenant Governor in Council to administer this Act;
- (f) "municipality" means a city, town, village or township;
- (g) "participating municipality" means a municipality designated as such in this Act;
- (h) "scheme" means a scheme undertaken by the Authority for the purposes of the conservation, restoration and development of natural resources, other than gas, oil, coal and minerals, and the control of water in order to prevent floods and pollution, or for any such purpose.

Authority  
established

**2.—**(1) A body corporate is hereby established, to be known as the "Grand River Conservation Authority", consisting of,

(a) representatives appointed by the councils of the municipalities situated either wholly or partly within the Grand River Watershed, as follows:

(i) two representatives from each of the cities of Brantford, Galt, Guelph, Kitchener and Waterloo, and

(ii) one representative from each of the other municipalities in the Grand River Watershed; and

(b) eight persons appointed by the Lieutenant Governor in Council.

Qualifica-  
tions of  
members

(2) Every member of the Authority shall be resident in a participating municipality.

Chairman

(3) The Lieutenant Governor in Council shall designate as chairman of the Authority one of the members appointed by him.

Stipend

(4) The chairman may be paid, out of moneys appropriated therefor by the Legislature, such annual stipend as is determined by the Lieutenant Governor in Council.

Municipal  
representa-  
tives,  
duties

**3.—**(1) The municipal representatives shall act as liaison between the Authority and the participating municipalities.

Annual  
meeting

(2) The members of the Authority shall meet annually at the call of the chairman of the Authority, at which meeting they shall,

(a) discuss the proposed work programme of the Authority for the coming year;

(b) scrutinize and review the budget of the Authority for the coming year; and

(c) discuss any business of the Authority that may be placed before the meeting.

Board of  
directors,  
composition  
and powers

**4.—**(1) The affairs of the Authority shall be managed and controlled by a board of directors consisting of,

(a) the eight members of the Authority appointed by the Lieutenant Governor in Council;

(b)



- (b) the municipal representatives appointed to the Authority by the cities of Brantford, Galt, Guelph, Kitchener and Waterloo;
- (c) the municipal representatives appointed to the Authority by the towns of Paris and Preston;
- (d) one member appointed by the councils of the Town of Fergus and the Village of Elora, who shall be selected from the municipal representatives appointed to represent such municipalities as members of the Authority;
- (e) one member appointed by the councils of the municipalities in each of the groups of municipalities set out in the Schedule hereto, who shall be selected from the municipal representatives appointed to represent such municipalities as members of the Authority,

provided that, upon the application of the Authority, the Lieutenant Governor in Council may increase the number of members of the Board by one or more members, who shall be appointed by such municipality or group of municipalities as the Lieutenant Governor in Council designates.

(2) The chairman of the Authority is chairman of the Board. Chairman

**5.**—(1) Upon the death, incapacity, resignation or change of residence to a non-participating municipality of any member of the Authority or of the Board, another qualified person shall be appointed by the appropriate appointing municipality or group of municipalities or by the Lieutenant Governor in Council, as the case may be, to fill the vacancy thereby created. Filling of vacancies on Authority and Board

(2) If a municipality or group of municipalities fails to appoint a member to the Authority or to the Board within sixty days after the day this Act comes into force or within sixty days after the death, incapacity, resignation or change of residence of its appointed member as provided in subsection 1, a qualified person may be appointed by the Lieutenant Governor in Council to fill the vacancy thereby created. Failure of municipality to appoint member

**6.** Every municipality that is entitled to appoint a municipal representative as a member of the Authority and every municipality designated as a participating municipality by the Lieutenant Governor in Council is a participating municipality for the purposes of this Act. Participating municipalities

Vice-  
chairmen

**7.** The Board shall elect from among its members two vice-chairmen, who shall also be vice-chairmen of the Authority.

Executive  
Committee

**8.** The Board may appoint an Executive Committee consisting of the chairman of the Board, who shall be chairman of the Executive Committee, the two vice-chairmen of the Board, who shall be vice-chairmen of the Executive Committee, and four other members of whom two shall be chosen from amongst the members appointed by the Lieutenant Governor in Council.

Absence  
of chairman  
and vice-  
chairmen

**9.** In the event of the absence of the chairman and both vice-chairmen from any meeting of the Authority, Board or Executive Committee, the members present shall elect an acting chairman who, for the purposes of such meeting, has all the powers and shall perform all the duties of the chairman.

Votes

**10.**—(1) Each member of the Board is entitled to one vote, and, in the event of a tie vote, the chairman has a second or deciding vote.

Quorum

(2) Twelve members of the Board constitute a quorum.

Majority  
vote

(3) A majority vote of the members present at any meeting of the Board is required upon all matters coming before such meeting.

Advisory  
boards

**11.** The Authority may appoint such advisory boards as it deems necessary.

Approval of  
O.M.B.

**12.** Where any municipality is required to obtain the approval of the Ontario Municipal Board with respect to the raising of moneys in connection with any scheme of the Authority, the Authority may make an application for such approval on behalf of the municipality.

Borrowing  
power

**13.** The Authority may, for its purposes, borrow on its promissory note, at such rate of interest as the Minister approves, such moneys as may be required until payment to the Authority of any grants and of sums to be paid to the Authority by the participating municipalities.

Staff

**14.** The Authority may appoint a secretary-treasurer and such other employees as it deems necessary, who shall hold office during the pleasure of the Authority and receive such salary or other remuneration as the Authority determines, payable out of funds of the Authority.

**15.** Except where inconsistent with this Act, section 1 <sup>Application of R.S.O. 1960, c. 62</sup> and sections 15 to 42 of *The Conservation Authorities Act* apply *mutatis mutandis* to the Authority.

**16.**—(1) The assets and liabilities of the Grand Valley <sup>Assets of present authority and commission vested in Authority</sup> Conservation Authority and of the Grand River Conservation Commission, including all water reservoirs, dams, conservation areas, reforested areas and other conservation projects, are vested in and become assets and liabilities of the Authority.

(2) The Grand Valley Conservation Authority and the <sup>Present corporations inoperative</sup> Grand River Conservation Commission shall be inoperative during the amalgamation period and are dissolved on the 1st day of January, 1969, unless during the amalgamation period the Minister and the Authority agree that the Authority should be dissolved and the Grand Valley Conservation Authority and the Grand River Conservation Commission revived, in which case the Authority is dissolved on the 1st day of January, 1969, and the assets and liabilities of the Authority shall be apportioned between the Grand Valley Conservation Authority and the Grand River Conservation Commission as may be agreed upon or, failing agreement, as may be determined by the Ontario Municipal Board.

**17.** When a conservation authority is established under *The Conservation Authorities Act* for the Grand River Watershed, the Authority is dissolved, and its assets and liabilities become assets and liabilities of the conservation authority <sup>When conservation authority established under R.S.O. 1960, c. 62</sup> established under that Act.

**18.** The Lieutenant Governor in Council may make regulations, <sup>Regulations</sup>

(a) amending the Schedule;

(b) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**19.** This Act comes into force on the day it receives Royal <sup>Commencement</sup> Assent.

**20.** This Act may be cited as *The Grand River Conservation Authority Act, 1966*. <sup>Short title</sup>

## SCHEDULE

- GROUP 1—Villages of Dundalk and Grand Valley and townships of Proton, Melancthon, Amaranth, East Luther and East Garafraxa.
- GROUP 2—Township of Brantford.
- GROUP 3—Villages of Arthur and Drayton and townships of West Luther, Arthur, Maryborough, Peel and Wallace.
- GROUP 4—Townships of Erin, West Garafraxa, Eramosa, Nassagaweya and Esquesing.
- GROUP 5—Townships of Pilkington, Nichol and Guelph.
- GROUP 6—Town of Hespeler and Township of Puslinch.
- GROUP 7—Village of Bridgeport and Township of Waterloo.
- GROUP 8—Town of Elmira and Township of Woolwich.
- GROUP 9—Villages of Wellesley and Milverton and townships of Wellesley, Mornington, Elma and Ellice.
- GROUP 10—Townships of Wilmot, North Easthope, South Easthope and Village of New Hamburg.
- GROUP 11—Townships of Blenheim, East Zorra, East Oxford, Blandford and Burford.
- GROUP 12—Townships of North Dumfries, South Dumfries and Beverly and Village of Ayr.
- GROUP 13—Townships of Oakland, Onondaga, Oneida, Townsend and Seneca and Town of Caledonia.
- GROUP 14—Town of Dunnville, Village of Cayuga and townships of Sherbrooke, Moulton, Dunn, North Cayuga, South Cayuga and Canborough.



## CHAPTER 64

## An Act to amend The Highway Traffic Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 1 of *The Highway Traffic Act* is amended by adding thereto the following paragraph: R.S.O. 1960, c. 172, s. 1, subs. 1, amended

24a. "self-propelled implement of husbandry" means a self-propelled implement or machine designed by the manufacturer thereof and used exclusively for farming, but does not include a motor vehicle having attached thereto a truck or delivery body or a farm tractor.

**2.** Section 3 of *The Highway Traffic Act*, as amended by section 2 of *The Highway Traffic Amendment Act, 1961-62*, is further amended by adding thereto the following subsection: R.S.O. 1960, c. 172, s. 3, amended

(4) The Deputy Minister, with the consent of the Minister, may authorize any public servant or servants in the Department to exercise any or all of the powers and duties of the Registrar when the Registrar or Deputy Registrar is absent. Delegation of powers of Registrar

**3.** Subsection 5 of section 8 of *The Highway Traffic Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 172, s. 8, subs. 5, re-enacted

(5) A motorcycle while being driven on a highway shall have exposed on the back thereof a number plate furnished by the Department showing in plain figures, not less than two inches in height, the number of the permit of such motorcycle and so fixed that the number is plainly visible from the rear thereof. Number plate on motorcycle

**4.** Section 15 of *The Highway Traffic Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 172, s. 15, re-enacted

15. Sections 13 and 16 and any regulation made thereunder do not apply to any person who is, Exemption as to non-residents



- (a) a resident of any other province of Canada, who is at least sixteen years of age and does not reside or carry on business in Ontario for more than six consecutive months in any one year, provided any such person has complied with the law of the province in which he resides as to the licensing of motor vehicle operators or chauffeurs;
- (b) a resident of any other country or state,
  - (i) who is at least sixteen years of age and is the holder of a valid International Driver's Permit, or
  - (ii) who is at least sixteen years of age and has not resided in Ontario for more than three months in any one year and has complied with the law of the country or state in which he resides as to the licensing of motor vehicle operators or chauffeurs.

R.S.O. 1960,  
c. 172, s. 33,  
subs. 6  
(1965, c. 46,  
s. 6, subs. 3),  
cl. b,  
amended

5.—(1) Clause *b* of subsection 6 of section 33 of *The Highway Traffic Act*, as re-enacted by subsection 3 of section 6 of *The Highway Traffic Amendment Act, 1965*, is amended by inserting after “on” in the seventh line “the left side of”, so that the clause shall read as follows:

- (b) every truck tractor having a width at any part in excess of 80 inches shall carry, in addition to the lamps required by subsection 1, two lighted clearance lamps, one on each side of the front of the vehicle, which shall display an amber light, and one lighted clearance lamp on the left side of the rear of the vehicle, which shall display a red light.

R.S.O. 1960,  
c. 172, s. 33,  
subs. 12,  
re-enacted

(2) Subsection 12 of the said section 33 is repealed and the following substituted therefor:

Red light  
in front

- (12) In addition to the lighting requirements in this Part, an ambulance, fire department vehicle, police department vehicle, public utility emergency vehicle or school bus may carry a lamp or lamps that cast a red light only or such other colour of light that may, with the approval of the Department, be designated by a by-law of the municipality in which the vehicle is operated, but no other motor vehicle shall carry any lamp that casts a red light to the front.

R.S.O. 1960,  
c. 172,  
amended

6. *The Highway Traffic Act* is amended by adding thereto the following section:

38a. The Lieutenant Governor in Council may make regulations prescribing the standards and specifications of tires to be used on vehicles or any class or classes thereof, and providing for and requiring the identification and marking of tires and prohibiting the sale of tires or any type thereof that do not comply with such standards and specifications and are not marked in accordance with the regulations.

Tire  
specifications

7. *The Highway Traffic Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 172,  
amended

41b.—(1) No person shall drive a motor vehicle upon a highway,

Windows to  
afford clear  
view

(a) unless the windshield and the windows on either side of the compartment containing the steering wheel are in such a condition as to afford the driver a clear view to the front and side of the motor vehicle; and

(b) unless the rear window is in such a condition as to afford the driver a clear view to the rear of the motor vehicle.

(2) Clause *b* of subsection 1 does not apply to a motor vehicle that is equipped with a mirror or mirrors securely attached to the motor vehicle and placed in such a position and maintained in such a condition as to afford the driver, otherwise than through the rear window, a clearly-reflected view of the roadway in the rear or of any vehicle approaching from the rear.

Application  
of subs. 1,  
cl. *b*

8. Subsection 3 of section 42 of *The Highway Traffic Act* is amended by striking out “by cutting out the muffler or otherwise” in the sixth and seventh lines, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 172, s. 42,  
subs. 3,  
amended

(3) A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signaling device so as to make an unreasonable noise, and an operator or chauffeur of any motor vehicle shall not permit any unreasonable amount of smoke to escape from the motor vehicle, nor shall such operator or chauffeur at any time cause the motor vehicle to make any unnecessary noise, but this subsection does not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call.

Unnecessary  
noise

R.S.O. 1960,  
c. 172, s. 49,  
amended

**9.** Section 49 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Application  
where sale  
to another  
dealer

- (4) Subsection 1 does not apply when a motor vehicle is sold by a dealer to another dealer.

R.S.O. 1960,  
c. 172,  
amended

**10.** *The Highway Traffic Act* is amended by adding thereto the following section:

Safety  
devices  
on vehicles

50a. The Lieutenant Governor in Council may make regulations,

- (a) requiring the use or incorporation of any device, in or on any vehicle, that may affect the safe operation of the vehicle on the highway or that may reduce or prevent injury to persons in a vehicle on a highway or to persons using the highway, and prescribing the specifications thereof;
- (b) designating devices and designating an organization to test and mark its approval of any device so designated, and prohibiting the incorporation or use in or on a vehicle of any device so designated that is not marked as approved by the testing organization.

R.S.O. 1960,  
c. 172, s. 52,  
subs. 2,  
amended

**11.—(1)** Subsection 2 of section 52 of *The Highway Traffic Act* is amended by adding thereto the following paragraph:

As to weight  
of trailer

- 1a. The gross weight of a trailer, other than a semi-trailer or pole-trailer, with two axles shall not exceed 32,000 pounds and the weight upon one axle shall not exceed 18,000 pounds, and if axles are spaced less than eight feet apart the weight on one axle shall not exceed 14,000 pounds.

R.S.O. 1960,  
c. 172, s. 52,  
subs. 2a  
(1960-61,  
c. 34, s. 6,  
subs. 6),  
re-enacted

(2) Subsection 2a of the said section 52, as enacted by subsection 6 of section 6 of *The Highway Traffic Amendment Act, 1960-61* and amended by subsection 1 of section 9 of *The Highway Traffic Amendment Act, 1965*, is repealed and the following substituted therefor:

Moving of  
three-axle  
semi-trailers  
or pole-  
trailers  
registered  
prior to  
July 1, 1961

- (2a) Notwithstanding paragraph 6 of subsection 2, a semi-trailer or a pole-trailer referred to in such paragraph 6 that was registered under this Act prior to the 1st day of July, 1961, subject to section 6, may be moved with a gross weight not exceeding 40,000 pounds on a Class A Highway until and including the 30th day of June, 1967.

(3) Subsection 2b of the said section 52, as re-enacted by section 10 of *The Highway Traffic Amendment Act 1962-63* and amended by subsection 2 of section 9 of *The Highway Traffic Amendment Act, 1965*, is repealed.

R.S.O. 1960,  
c. 172, s. 52,  
subs. 2b  
(1962-63,  
c. 56, s. 10),  
repealed

**12.**—(1) Subsection 1 of section 56 of *The Highway Traffic Act* is amended by inserting after “sunrise” in the fifth line “or at any other time when there is insufficient light or unfavourable atmospheric conditions”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 172, s. 56,  
subs. 1,  
amended

- (1) Every vehicle carrying a load that overhangs the rear of the vehicle to the extent of five feet or more shall display upon such overhanging load at the extreme rear end thereof at any time from one-half hour after sunset to one-half hour before sunrise or at any other time when there is insufficient light or unfavourable atmospheric conditions a red light, and at all other times a red flag or a red wooden or metal sign sufficient to indicate the projection of such load.

Over-  
hanging  
loads

(2) Subsection 2 of the said section 56 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 172, s. 56,  
subs. 2,  
re-enacted

- (2) No person shall operate or permit to be operated upon a highway any commercial motor vehicle or trailer unless the load that such vehicle or trailer is carrying is firmly bound, sufficiently covered, or otherwise secured or loaded, in such manner that no portion of the load may become dislodged or fall from the commercial vehicle or trailer.

Commercial  
vehicle,  
etc., how  
to be  
loaded

**13.** Subsection 1 of section 69 of *The Highway Traffic Act* is amended by striking out “from a direct line” in the second line and inserting in lieu thereof “at an intersection or into a private road or driveway or from one lane for traffic to another lane for traffic or to leave the roadway”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 172, s. 69,  
subs. 1,  
amended

- (1) The driver or operator of a vehicle upon a highway before turning to the left or right at an intersection or into a private road or driveway or from one lane for traffic to another lane for traffic or to leave the roadway shall first see that such movement can be made in safety, and if the operation of any other vehicle may be affected by such movement shall give a signal plainly visible to the driver or operator of such other vehicle of the intention to make such movement.

Signal for  
left or right  
turn



R.S.O. 1960,  
c. 172, s. 70,  
subs. 10,  
re-enacted

**14.** Subsection 10 of section 70 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Rules  
subject to  
signs at  
intersections

- (10) The provisions of this section are subject to any sign forbidding a left or right turn or both that is conspicuously posted at any intersection, and the driver of a vehicle shall obey such sign.

R.S.O. 1960,  
c. 172, s. 72,  
amended

**15.** Section 72 of *The Highway Traffic Act* is amended by striking out "as provided in section 76" in the fifteenth line and inserting in lieu thereof "where there are more such lanes for traffic in one direction than in the other direction", so that the section shall read as follows:

Driving to  
left of  
centre of  
roadway  
under  
certain  
conditions  
prohibited

72. No vehicle shall be driven or operated to the left of the centre of a roadway designed for one or more lines of traffic in each direction,

(a) when approaching the crest of a grade or upon a curve in the roadway or within 100 feet of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction; or

(b) when approaching within 100 feet of or traversing any intersection or level railway crossing, except where a left turn is to be made at an intersection,

but this section does not apply to a highway designated for the use of one-way traffic or to a highway divided into clearly marked lanes where there are more such lanes for traffic in one direction than in the other direction.

R.S.O. 1960,  
c. 172, s. 93,  
subs. 3,  
repealed

**16.** Subsection 3 of section 93 of *The Highway Traffic Act* is repealed.

R.S.O. 1960,  
c. 172, s. 94  
(1960-61,  
c. 34, s. 12),  
subs. 1,  
cl. b,  
amended

**17.**—(1) Clause *b* of subsection 1 of section 94 of *The Highway Traffic Act*, as re-enacted by section 12 of *The Highway Traffic Amendment Act, 1960-61*, is amended by striking out "amber" in the second line and inserting in lieu thereof "red", so that the clause shall read as follows:

- (b) is equipped with two red signal-lights on the rear thereof and two red signal-lights on the front thereof.



(2) Subsections 2 and 3 of the said section 94, as amended by subsections 2, 3 and 4 of section 13 of *The Highway Traffic Amendment Act, 1961-62*, are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 172, s. 94  
(1960-61,  
c. 34, s. 12),  
subss. 2, 3,  
re-enacted

- (2) Where a school bus is stopped on a highway or part of a highway on which the maximum speed limit is greater than 35 miles per hour for the purpose of receiving or discharging school children, the driver of a vehicle,

Duty of  
driver when  
school bus  
stopped on  
highway

(a) when overtaking a school bus on which the words "do not pass when signals flashing" are marked and two red signal-lights are illuminated by intermittent flashes; and

(b) when meeting on such a highway, other than a highway with separate roadways, a school bus on the front of which two red signal-lights are illuminated with intermittent flashes,

shall stop the vehicle before reaching the school bus and shall not proceed until the school bus resumes motion or the signal-lights are no longer operating.

- (3) The driver of such a school bus upon a highway or part of a highway on which the maximum speed limit is greater than 35 miles per hour, when he is about to stop the school bus for the purpose of receiving or discharging school children, shall actuate the signal-lights and shall continue them in operation while stopped for such purpose and, in the case of such a highway that does not have separate roadways, until those children who of necessity must cross the highway have completed the crossing.

Duty of  
driver of  
school bus  
to actuate  
signals

**18.** Section 97 of *The Highway Traffic Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 172, s. 97,  
re-enacted

97. Where sidewalks are not provided on a highway, a pedestrian walking along the highway shall walk on the left side thereof facing oncoming traffic and, when walking along the roadway, shall walk as close to the left edge thereof as possible.

Duties of  
pedestrian  
when walk-  
ing along  
highway

**19.** Subsection 1 of section 100a of *The Highway Traffic Act*, as enacted by section 15 of *The Highway Traffic Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 172,  
s. 100a  
(1962-63,  
c. 56, s. 15),  
subs. 1,  
re-enacted

Regulation  
of pedes-  
trians and  
vehicles on  
controlled-  
access  
highways  
R.S.O. 1960,  
c. 171

- (1) The Lieutenant Governor in Council may make regulations prohibiting or regulating the use of a highway designated by the Lieutenant Governor in Council as a controlled-access highway under *The Highway Improvement Act* by pedestrians or animals or any class or classes of vehicles.

R.S.O. 1960,  
c. 172, s. 105,  
amended

- 20.**—(1) Section 105 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Consent of  
lessee

- (1a) Where a motor vehicle is leased, the consent of the lessee of the motor vehicle to the operation or possession thereof by some person other than the lessee shall, for the purposes of subsection 1, be deemed to be the consent of the owner of the motor vehicle.

R.S.O. 1960,  
c. 172, s. 105,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 105 is amended by adding at the end thereof "except where such loss or damage was caused or contributed to by the gross negligence of the driver of the motor vehicle", so that the subsection shall read as follows:

Liability  
for injury  
to passengers

- (2) Notwithstanding subsection 1, the owner or driver of a motor vehicle, other than a vehicle operated in the business of carrying passengers for compensation, is not liable for any loss or damage resulting from bodily injury to, or the death of any person being carried in, or upon, or entering, or getting on to, or alighting from the motor vehicle; except where such loss or damage was caused or contributed to by the gross negligence of the driver of the motor vehicle.

Application  
of subs. 2

- (3) Subsection 2 applies only to loss or damage resulting from bodily injury to, or the death of any person caused by the gross negligence of a driver of a motor vehicle on or after the day subsection 2 comes into force.

R.S.O. 1960,  
c. 172, s. 148,  
subs. 2,  
amended

- 21.** Subsection 2 of section 148 of *The Highway Traffic Act* is amended by adding at the end thereof "or of any of the provisions of any by-law passed under any Act regulating or prohibiting turns on a highway", so that the subsection shall read as follows:

Owner when  
not driver  
not liable  
for penalties

- (2) The owner of a motor vehicle except when he is also the driver shall not incur the penalties provided for any contravention of any of the provisions of sections 59 to 87, 91, 94, 99 and 143 or any regulation or by-law made or passed thereunder or of any of the provisions of any by-law passed under any Act regulating or prohibiting turns on a highway.

**22.**—(1) This Act, except sections 3, 5 and 7 and sub-<sup>Commence-</sup>sections 2 and 3 of section 11, sections 12, 13, 15, 16, 17, 18 and 20, comes into force on the day it receives Royal Assent.

(2) Subsections 2 and 3 of section 11 shall be deemed to <sup>Idem</sup> have come into force on the 1st day of April, 1966.

(3) Sections 5, 12, 13, 15, 16, 17 and 18 and subsection 1 of <sup>Idem</sup> section 20 come into force on the 1st day of September, 1966.

(4) Section 7 comes into force on the 1st day of October, <sup>Idem</sup> 1966.

(5) Section 3 comes into force on the 1st day of December, <sup>Idem</sup> 1966.

(6) Subsections 2 and 3 of section 20 come into force on a <sup>Idem</sup> day to be named by the Lieutenant Governor by his proclamation.

**23.** This Act may be cited as *The Highway Traffic Amend-* <sup>Short title</sup>  
*ment Act, 1966.*



## CHAPTER 65

**An Act to revise The Homes for Retarded Children Act, 1962-63 and to extend its Scope**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,****Interpre-  
tation**

- (a) "approved corporation" means a corporation approved under section 2;
- (b) "approved home" means a home for retarded persons approved under section 3;
- (c) "corporation" means a corporation incorporated under the laws of Ontario without share capital and with objects of a charitable nature;
- (d) "home for retarded persons" means a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include,
  - (i) a children's institution under *The Children's Institutions Act, 1962-63*, R. 1962-63,  
c. 14
  - (ii) a charitable institution under *The Charitable Institutions Act, 1962-63*, R. 1962-63,  
c. 11
  - (iii) a children's boarding home that is registered under *The Children's Boarding Homes Act*, R.S.O. 1960,  
c. 54
  - (iv) a hospital under *The Children's Mental Hospitals Act*, R.S.O. 1960,  
c. 56
  - (v) a home, institution or other place of accommodation provided by a children's aid society under *The Child Welfare Act, 1965*, 1965, c. 14

(vi)



- 1966, c. 37 (vi) a day nursery established and operated under *The Day Nurseries Act, 1966* or any predecessor thereof,
- R.S.O. 1960, c. 231 (vii) a house that is registered under *The Maternity Boarding Houses Act*,
- R.S.O. 1960, c. 236 (viii) an institution under *The Mental Hospitals Act*,
- R.S.O. 1960, c. 305 (ix) a private hospital under *The Private Hospitals Act*,
- R.S.O. 1960, c. 307 (x) a sanitarium under *The Private Sanitaria Act*,
- R.S.O. 1960, c. 315 (xi) a psychiatric hospital under *The Psychiatric Hospitals Act*,
- R.S.O. 1960, c. 322 (xii) a hospital under *The Public Hospitals Act*,
- R.S.O. 1960, c. 359 (xiii) a sanatorium under *The Sanatoria for Consumptives Act*;

- (e) "Minister" means the Minister of Public Welfare;
- (f) "provincial supervisor" means a child welfare supervisor or a welfare institutions supervisor, and includes any other employee of the Department of Public Welfare who is designated by the Minister as a provincial supervisor for the purposes of this Act;
- (g) "regulations" means the regulations made under this Act;
- (h) "residential accommodation" means accommodation for the board and lodging of retarded persons;
- (i) "retarded person" means a person in whom there is a condition of arrested or incomplete development of the mind as verified by objective psychological or medical findings, and whose best interests would be served by admission to an approved home. 1962-63, c. 57, s. 1, *amended*.

Approval  
of cor-  
porations

**2.** The Lieutenant Governor in Council may approve any corporation for the purposes of this Act. 1962-63, c. 57, s. 2, *amended*.

Approval of  
homes

**3.** The Lieutenant Governor in Council may approve any home for retarded persons for the purposes of this Act. 1962-63, c. 57, s. 3, *amended*.

## 4.—(1) No approved corporation shall,

Prohibitions

- (a) maintain and operate any home for retarded persons until the home has been approved under section 3;
- (b) change its corporate name under *The Corporations Act* or the name of any approved home maintained and operated by it without the approval in writing of the Minister; R.S.O. 1960, c. 71
- (c) erect a new building to be maintained and operated as a home for retarded persons until the site and plans thereof have been approved in writing by the Minister or erect an addition to an existing building to be maintained and operated as a home for retarded persons until the plans thereof are approved in writing by the Minister;
- (d) purchase or otherwise acquire any building to be maintained and operated as a home for retarded persons without the approval in writing of the Minister; or
- (e) change the site of, sell or otherwise dispose of any part of, or structurally alter, any approved home in respect of which the approved corporation has received payment of a grant under section 5 or 6 without the approval in writing of the Minister.

(2) No by-law of an approved corporation with respect to an approved home has effect until it is approved in writing by the Minister. By-laws  
 1962-63, c. 57, s. 4, *amended*.

5. When the site and plans of a new building or the plans of an addition to an existing building to be maintained and operated or maintained and operated, as the case may be, as a home for retarded persons have been approved by the Minister under clause *c* of subsection 1 of section 4, the Lieutenant Governor in Council may, out of the moneys appropriated therefor by the Legislature, direct payment to the approved corporation erecting the new building or the addition of an amount equal to the cost to the approved corporation of the new building or the addition, but not exceeding an amount based upon the bed capacity of the new building or the addition at the rate of \$5,000 per bed. Construction grants  
 1965, c. 47, s. 1, *amended*.

6. When the acquisition of a building to be maintained and operated as a home for retarded persons has been approved by the Minister under clause *d* of subsection 1 of section 4, Acquisition grants

the Lieutenant Governor in Council may, out of the moneys appropriated therefor by the Legislature, direct payment to the approved corporation acquiring the building of an amount equal to the cost to the approved corporation of the acquisition, but not exceeding an amount based on the bed capacity of the building at the rate of \$1,200 per bed. 1965, c. 47, s. 6, *amended*.

Grants for  
residential  
accommoda-  
tion only

**7.** In computing the cost to an approved corporation of erecting a new building or an addition to an existing building under section 5 or of acquiring a building under section 6, the computation shall include only expenditures directly referable to the establishment or provision of residential accommodation for retarded persons and shall be computed in accordance with the regulations. 1962-63, c. 57, s. 7, *amended*.

Maintenance  
and  
operating  
grants

**8.** Subject to section 9, there shall be paid to an approved corporation, out of the moneys appropriated therefor by the Legislature, an amount equal to 80 per cent of the cost to the approved corporation, computed in accordance with the regulations, of providing residential accommodation for the persons who are residing in an approved home that is maintained and operated by the approved corporation and who have not been committed to the care of a children's aid society under *The Child Welfare Act, 1965* or any predecessor thereof. 1965, c. 47, s. 3, *amended*.

1965, c. 14

Residence

**9.** An amount shall not be paid under section 8 in respect of a retarded person unless the retarded person or the person in whose charge he is are residents of Ontario as determined by the regulations. 1962-63, c. 57, s. 9, *amended*.

Inspection  
of approved  
homes

**10.—(1)** A provincial supervisor shall be given access to and inspect every approved home, and shall examine the books of account and any other records of the approved home at least once each year, but he shall be given access to and may inspect any such approved home or examine the books of account and the other records at any time.

Idem,  
approved  
corporations

**(2)** A provincial supervisor shall be given access to any approved corporation's books of account and other records that pertain to its approved homes and he may inspect such books of account and other records at any time. 1962-63, c. 57, s. 10, *amended*.

Suspension  
and  
revocation  
of approvals

**11.** Any approval given under this Act may be suspended by the Minister or revoked by the Lieutenant Governor in Council at any time. 1962-63, c. 57, s. 11.

**12.** The Lieutenant Governor in Council may make regula-<sup>Regulations</sup>  
tions,

- (a) specifying the corporations and the homes for retarded persons that are approved for the purposes of this Act;
- (b) prescribing rules governing approved homes and the conduct of the persons residing therein and the staffs thereof;
- (c) governing the admission of retarded persons to approved homes and the kinds of services that are to be provided therein;
- (d) prescribing the qualifications and duties of the members of the staffs of approved homes;
- (e) requiring and prescribing medical and other related or ancillary services that are to be provided for the persons residing in approved homes;
- (f) determining residence for the purposes of section 9;
- (g) governing applications by approved corporations for payments under this Act, and prescribing the method, time and manner of payment;
- (h) prescribing the manner of computing costs to approved corporations for the purposes of sections 7 and 8;
- (i) prescribing the records to be kept by approved corporations and approved homes, the claims and returns to be made to the Minister by approved corporations and the method, time and manner in which such claims and returns shall be made, and providing penalties for late claims or returns;
- (j) providing for the recovery by an approved corporation or the Province from the person or persons in whose charge a retarded person is or from the estate of such person or persons of any amount paid by the approved corporation or by the Province to the approved corporation for the cost of the residential accommodation of the person in an approved home, and prescribing the circumstances and the manner in which any such recovery may be made;

(k)



(k) prescribing additional duties of provincial supervisors;

(l) prescribing forms and providing for their use;

(m) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1962-63, c. 57, s. 12, *amended*.

1962-63,  
c. 57;  
1965, c. 47,  
repealed

**13.** *The Homes for Retarded Children Act, 1962-63 and The Homes for Retarded Children Amendment Act, 1965* are repealed.

Commence-  
ment

**14.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**15.** This Act may be cited as *The Homes for Retarded Persons Act, 1966*.



## CHAPTER 66

**An Act to amend  
The Homes for the Aged Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** The title to *The Homes for the Aged Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 174,  
amended

THE HOMES FOR THE AGED AND REST HOMES ACT

- 2.** Clauses *a* and *b* of section 1 of *The Homes for the Aged Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 174, s. 1,  
cls. a, b,  
re-enacted

(a) "home" means a home for the aged established and maintained under this Act or a rest home established and maintained under this Act;

(b) "joint home" means a home of two or more municipalities.

- 3.—(1)** Subsection 1 of section 2 of *The Homes for the Aged Act* is amended by adding at the end thereof "for the aged", so that the subsection shall read as follows: R.S.O. 1960,  
c. 174, s. 2,  
subs. 1,  
amended

(1) Except as otherwise provided in subsection 2 or in section 5, every municipality not in a territorial district shall establish and maintain a home for the aged. Homes for the aged not in districts, establishment, etc.

- (2) Subsection 2 of the said section 2 is amended by adding at the end thereof "for the aged", so that the subsection shall read as follows: R.S.O. 1960,  
c. 174, s. 2,  
subs. 2,  
amended

(2) In lieu of establishing separate homes, the councils of two or more such municipalities may, with the approval in writing of the Minister, enter into an agreement to establish and maintain a joint home for the aged. Idem, joint homes for the aged

R.S.O. 1960,  
c. 174, s. 2,  
amended

(3) The said section 2 is amended by adding thereto the following subsections:

Idem,  
rest homes

(3) Except as otherwise provided in subsection 4 or in section 5, any municipality not in a territorial district may, and any town, village or township that forms part of a county for municipal purposes may with the prior approval of the council of the county, establish and maintain a rest home.

Idem,  
joint rest  
homes

(4) In lieu of establishing separate rest homes, the councils of two or more municipalities not in a territorial district or the councils of any two or more towns, villages or townships that form part of a county for municipal purposes may, with the approval in writing of the Minister, enter into an agreement to establish and maintain a joint rest home.

R.S.O. 1960,  
c. 174, s. 6,  
amended

4. Section 6 of *The Homes for the Aged Act*, as amended by section 1 of *The Homes for the Aged Amendment Act, 1961-62*, is further amended by adding thereto the following subsection:

Rest home  
approved  
by county  
must have  
committee  
of manage-  
ment

(4) Notwithstanding subsections 1 and 2, where the establishment of a rest home has been approved by the county council, there shall be a committee of management for the rest home.

R.S.O. 1960,  
c. 174, s. 13  
(1960-61,  
c. 35, s. 2),  
amended

5.—(1) Section 13 of *The Homes for the Aged Act*, as enacted by section 2 of *The Homes for the Aged Amendment Act, 1960-61*, is amended by striking out "or joint home" in the twentieth and twenty-first lines and inserting in lieu thereof "for the aged or joint home for the aged".

R.S.O. 1960,  
c. 174, s. 13  
(1960-61,  
c. 35, s. 2),  
amended

(2) The said section 13 is further amended by adding thereto the following subsection:

Idem,  
rest homes

(2) Any person,

(a) who is twenty-one or more years of age and who in the opinion of two legally qualified medical practitioners, one of whom is the physician of the home, is in need of long-term maintenance and supervision as prescribed by the regulations; or

(b) who is under the age of twenty-one years and is eligible under clause *a*, if his admission is approved by the Minister,

may be admitted to and maintained in a rest home or joint rest home by the committee of management or the board of management, as the case may be, upon receipt of,

- (c) an authorization mentioned in clause *e* of subsection 1;
- (d) an application mentioned in clause *f* of subsection 1;
- (e) a consent mentioned in clause *g* of subsection 1;
- (f) a statement mentioned in clause *h* of subsection 1; and
- (g) a statement in the prescribed form certifying that he is eligible for admission to a rest home or joint rest home under clause *a* or *b* and signed by the physicians referred to in clause *a*.

**6.** *The Homes for the Aged Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 174,  
amended

13a. Where in the opinion of the physician of a rest home or joint rest home a resident of the home ceases to be eligible to be maintained therein or where it is in the interest of the welfare of such resident, the resident may be discharged from the home. Discharge  
of residents  
of rest  
homes

**7.** Subsection 1 of section 26 of *The Homes for the Aged Act* is amended by relettering clause *a* as clause *aa* and by adding thereto the following clauses: R.S.O. 1960,  
c. 174, s. 26,  
subs. 1,  
amended

(a) prescribing the location, site, size, design and construction of buildings to be acquired, erected or altered for use as homes or joint homes and the facilities and equipment to be provided therein;

. . . . .

(ab) prescribing the classes of persons who are in need of long-term maintenance and supervision in rest homes.

**8.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**9.** This Act may be cited as *The Homes for the Aged Amendment Act, 1966*. Short title



## CHAPTER 67

**An Act to amend  
The Hours of Work and Vacations with Pay Act**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsections 2, 3 and 4 of section 2 of *The Hours of Work and Vacations with Pay Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 181, s. 2,  
subss. 2-4,  
re-enacted

(2) Every employee in an industrial undertaking shall be given a vacation of, Vacations  
with pay

(a) at least one week with pay for each of the first three years of his employment; and

(b) when he has completed thirty-six months of continuous or non-continuous employment, at least two weeks for each year of such employment.

(3) The employer shall determine the period when an employee may take the vacation provided by subsection 2, which, in the case of a two-week vacation, may be a two-week period or two periods of one week each but which in any case shall not be taken later than ten months after the end of the year for which the vacation was given. When  
vacations  
to be  
taken

(4) In the case of a one-week vacation, the amount of pay for the vacation shall not be less than an amount equal to 2 per cent of the pay of the employee for all work done by him in the year for which the vacation is given, and, in the case of a two-week vacation, the amount of pay for the vacation shall not be less than an amount equal to 4 per cent of the pay of the employee for all work done by him in the year for which the vacation is given. Amount of  
vacation pay



Agreements  
as to  
vacations  
with pay

- (5) The Board may approve the provisions respecting annual vacations with pay or payment in lieu of annual vacations with pay of any agreement entered into by any employer and his employees, and, if so approved, such provisions prevail notwithstanding anything to the contrary in this Act or the regulations.

R.S.O. 1960,  
c. 181, s. 10,  
cl. f,  
re-enacted

- 2.** Clause *f* of section 10 of *The Hours of Work and Vacations with Pay Act* is repealed and the following substituted therefor:

- (f) providing for the payment to an employee who has ceased to be employed by an employer of an amount equal to 2 per cent or 4 per cent of the employee's pay for all work done by him during the period for which the entitlement applies as prescribed by the regulations, and fixing the minimum periods of employment to which a regulation made under this clause shall apply.

R.S.O. 1960,  
c. 181, s. 12,  
subs. 1  
(1961-62,  
c. 58, s. 3,  
subs. 1),  
amended

- 3.** Subsection 1 of section 12 of *The Hours of Work and Vacations with Pay Act*, as re-enacted by subsection 1 of section 3 of *The Hours of Work and Vacations with Pay Amendment Act, 1961-62*, is amended by inserting after "pay" in the second line "or pay in lieu thereof", so that the subsection shall read as follows:

Additional  
penalty

- (1) In addition to the penalty imposed on an employer for failure to grant a vacation with pay or pay in lieu thereof to an employee, the magistrate shall order the employer to pay to the Board on behalf of the employee an amount equal to the pay he would have received for such vacation or the amount to which he would be entitled under the regulations.

Computa-  
tion of  
vacation  
with pay

R.S.O. 1960,  
c. 181

- 4.** The whole of the period of employment of an employee with an employer, both before and after the day on which this Act comes into force, is applicable in computing the employee's entitlement to vacation with pay under *The Hours of Work and Vacations with Pay Act* as amended by this Act.

Commence-  
ment

- 5.** This Act comes into force on the 1st day of July, 1966.

Short title

- 6.** This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1966*.

## CHAPTER 68

# **An Act to amend The Housing Development Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 2 of section 6 of *The Housing Development Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 182, s. 6, subs. 2, re-enacted

(2) The Lieutenant Governor in Council may constitute corporations with such powers and duties as are deemed expedient to carry out any of the terms of any agreement made under subsection 1 or to carry out any housing project, including power to plan, construct and manage any housing project undertaken under any such agreement or otherwise, and including power to acquire and dispose of land in its own name. Corporations to carry out housing projects

(2) The said section 6 is amended by adding thereto the following subsection: R.S.O. 1960, c. 182, s. 6, amended

(3a) Any moneys required by the Crown in right of Ontario for the purposes of any corporation constituted under subsection 2 for purposes other than to carry out the terms of an agreement made under subsection 1 shall be paid, before the 31st day of March, 1967, out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature. Moneys required by corporations for purposes other than carrying out agreements

**2.** This Act comes into force on the day it receives Royal Assent. Commencement

**3.** This Act may be cited as *The Housing Development Amendment Act, 1966*. Short title



CHAPTER 69

An Act to amend  
The Income Tax Act, 1961-62

Assented to July 8th, 1966  
Session Prorogued July 8th, 1966

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 2 of *The Income Tax Act*, 1961-62, as re-enacted by section 2 of *The Income Tax Amendment Act, 1961-62*, is amended by striking out “1966” in the second line and inserting in lieu thereof “1967”.  
1961-62, c. 60, s. 2 (1961-62, c. 61, s. 2), subs. 1, amended

(2) Subsection 2 of the said section 2 is amended by striking out “1966” in the second line and inserting in lieu thereof “1967”.  
1961-62, c. 60, s. 2 (1961-62, c. 61, s. 2), subs. 2, amended

2.—(1) Subsection 3 of section 3 of *The Income Tax Act*, 1961-62, as amended by section 1 of *The Income Tax Amendment Act, 1965*, is further amended by striking out “and” at the end of clause *d* in the amendment of 1965, by adding “and” at the end of clause *e* in the amendment of 1965 and by adding thereto the following clause:

(f) 28 per cent in respect of the 1967 taxation year.

(2) Clause *b* of subsection 6 of the said section 3, as enacted by subsection 2 of section 2 of *The Income Tax Amendment Act, 1962-63*, is amended by striking out the first three lines and inserting in lieu thereof the following:  
1961-62, c. 60, s. 3, subs. 6 (1962-63, c. 61, s. 2), cl. b, amended

(b) that proportion of the deduction allowed to the taxpayer for that taxation year by virtue of subsection 1 of section 33 of the Federal Act that,

. . . . .

3. Subsection 2 of section 2 applies in respect of the taxation year 1965 and in respect of subsequent taxation years.  
Application of s. 2 (2)

Commence-  
ment

**4.**—(1) This Act, except section 1 and subsection 1 of section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 and subsection 1 of section 2 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**5.** This Act may be cited as *The Income Tax Amendment Act, 1966*.



## CHAPTER 70

## An Act to amend The Industrial Farms Act

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Subsections 2 and 3 of section 3 of *The Industrial Farms Act* are repealed. R.S.O. 1960,  
c. 185, s. 3,  
subss. 2, 3,  
repealed
- 2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment
- 3.** This Act may be cited as *The Industrial Farms Amendment Act, 1966*. Short title



## CHAPTER 71

## An Act to amend The Insurance Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraphs 6 and 7 of section 1 of *The Insurance Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 190, s. 1, pars. 6, 7, re-enacted

6. "automobile" includes a trolley bus and a self-propelled vehicle, and the trailers, accessories and equipment of automobiles, but does not include railway rolling stock that runs on rails, watercraft or aircraft;

7. "automobile insurance" means insurance,

(a) against liability arising out of,

(i) bodily injury to or the death of a person, or

(ii) loss of or damage to property,

caused by an automobile or the use or operation thereof; or

(b) against loss of or damage to an automobile and the loss of use thereof,

and includes insurance otherwise coming within the class of accident insurance where the accident is caused by an automobile or the use or operation thereof, whether liability exists or not, if the contract also includes insurance described in clause a.

(2) Paragraph 40 of the said section 1, as re-enacted by subsection 2 of section 1 of *The Insurance Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960, c. 190, s. 1, par. 40 (1964, c. 47, s. 1, subs. 2), re-enacted

40. "Minister" means the Minister of Financial and Commercial Affairs.

R.S.O. 1960,  
c. 190, s. 1,  
amended

(3) The said section 1 is amended by adding thereto the following paragraphs:

40a. "motor vehicle liability policy" means a policy or part of a policy evidencing a contract insuring,

(a) the owner or driver of an automobile; or

(b) a person who is not the owner or driver thereof where the automobile is being used or operated by his employee or agent or any other person on his behalf,

against liability arising out of bodily injury to or the death of a person or loss or damage to property caused by an automobile or the use or operation thereof;

. . . . .

43a. "non-owner's policy" means a motor vehicle liability policy insuring a person solely in respect of the use or operation by him or on his behalf of an automobile that is not owned by him;

. . . . .

44a. "owner's policy" means a motor vehicle liability policy insuring a person in respect of the ownership, use or operation of an automobile owned by him and within the description or definition thereof in the policy and, if the contract so provides, in respect of the use or operation of any other automobile.

R.S.O. 1960,  
c. 190, s. 25  
(1962-63,  
c. 64, s. 1),  
re-enacted

2. Section 25 of *The Insurance Act*, as re-enacted by section 1 of *The Insurance Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Conditions  
of auto-  
mobile  
insurance  
licence

25.—(1) A licence to carry on automobile insurance in Ontario is subject to the following conditions:

1. In any action in Ontario against the licensed insurer or its insured arising out of an automobile accident in Ontario, the insurer shall appear and shall not set up any defence to a claim under a contract made outside Ontario, including any defence as to the limit

or limits of liability under the contract, that might not be set up if the contract were evidenced by a motor vehicle liability policy issued in Ontario.

2. In any action in another province or territory of Canada against the licensed insurer, or its insured, arising out of an automobile accident in that province or territory, the insurer shall appear and shall not set up any defence to a claim under a contract evidenced by a motor vehicle liability policy issued in Ontario, including any defence as to the limit or limits of liability under the contract, that might not be set up if the contract were evidenced by a motor vehicle liability policy issued in the other province or territory.

- (2) A licence may be cancelled when the holder commits a breach of condition as set out in subsection 1. Penalty for breach

**3.** Section 28 of *The Insurance Act* is repealed.

R.S.O. 1960,  
c. 190, s. 28,  
repealed

**4.** Subsection 1 of section 29 of *The Insurance Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 190, s. 29,  
subs. 1,  
re-enacted

- (1) A licence shall not be granted to a joint stock insurance company not licensed on the 15th day of June, 1966, unless the company furnishes to the Superintendent satisfactory evidence that of the capital stock not less than \$500,000 has been *bona fide* subscribed for, allotted and paid in and, in addition,

Restriction  
on granting  
licences

(a) where the company is undertaking life insurance, the company has an unimpaired surplus of not less than \$500,000; or

(b) where the company is not undertaking life insurance, an unimpaired surplus of not less than \$100,000.

**5.** Subsection 5 of section 76 of *The Insurance Act*, as amended by subsection 1 of section 2 of *The Insurance Amendment Act, 1962-63*, is further amended by inserting after "insurer" in the third line "not less than " and by inserting after "or" in the fifth line "not less than", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 190, s. 76,  
subs. 5,  
amended

- (5) Subject to subsection 5a, in the case of all classes of insurance, other than life insurance, and in the case of all insurers, the statement shall show as a liability

Unearned  
premiums  
a liability



of the insurer not less than 80 per cent of the actual portions of unearned premiums on all business in force on the 31st day of December then last past or not less than 80 per cent of 50 per cent of the premiums written in its policies and received in respect of contracts having one year or less to run and *pro rata* on those for longer periods.

R.S.O. 1960,  
c. 190, s. 87,  
subs. 1,  
amended

**6.** Subsection 1 of section 87 of *The Insurance Act* is amended by striking out "\$20" in the second line and inserting in lieu thereof "\$50" and by striking out "\$200" in the third line and inserting in lieu thereof "\$500", so that the subsection shall read as follows:

General  
penalty

(1) Unless otherwise provided, every person guilty of an offence under this Act shall incur a fine of not less than \$50 and not more than \$500 for every such offence.

R.S.O. 1960,  
c. 190, s. 94,  
subs. 2,  
amended

**7.** Subsection 2 of section 94 of *The Insurance Act* is amended by striking out "automobile and" in the first and second lines, so that the subsection shall read as follows:

Application  
of section

(2) This section does not apply to contracts of guarantee insurance.

R.S.O. 1960,  
c. 190,  
amended

**8.** *The Insurance Act* is amended by adding thereto the following sections:

Application

94a.—(1) This section applies to a contract containing a condition, statutory or otherwise, providing for an appraisal to determine specified matters in the event of a disagreement between the insured and the insurer.

Appraisals

(2) The insured and the insurer shall each appoint an appraiser, and the two appraisers so appointed shall appoint an umpire.

Appraisers

(3) The appraisers shall determine the matters in disagreement and, if they fail to agree, they shall submit their differences to the umpire, and the finding in writing of any two determines the matters.

Costs

(4) Each party to the appraisal shall pay the appraiser appointed by him and shall bear equally the expense of the appraisal and the umpire.

Appoint-  
ment by  
judge

(5) Where,

(a) a party fails to appoint an appraiser within seven clear days after being served with written notice to do so;

(b)

- (b) the appraisers fail to agree upon an umpire within fifteen days after their appointment; or
- (c) an appraiser or umpire refuses to act or is incapable of acting or dies,

a judge of the county or district court of the county or district in which the appraisal is to be made may appoint an appraiser or umpire, as the case may be, upon the application of the insured or of the insurer.

94b. Where there has been imperfect compliance with a statutory condition as to the proof of loss to be given by the insured or other matter or thing required to be done or omitted by the insured with respect to the loss and a consequent forfeiture or avoidance of the insurance in whole or in part and the court considers it inequitable that the insurance should be forfeited or avoided on that ground, the court may relieve against the forfeiture or avoidance on such terms as it considers just. Relief from forfeiture

94c. Insurance money is payable in Ontario in lawful money of Canada. How policy payable

94d.—(1) No term or condition of a contract shall be deemed to be waived by the insurer in whole or in part unless the waiver is stated in writing and signed by a person authorized for that purpose by the insurer. Waiver of term or condition

(2) Neither the insurer nor the insured shall be deemed to have waived any term or condition of a contract by any act relating to the appraisal of the amount of loss or to the delivery and completion of proofs or to the investigation or adjustment of any claim under the contract. Idem

**9.** Statutory condition 11 in section 111 of *The Insurance Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 190, s. 111, stat. cond. 11, re-enacted

#### Appraisal

**11.** In the event of disagreement as to the value of the property insured, the property saved or the amount of the loss, those questions shall be determined by appraisal as provided under *The Insurance Act* before there can be any recovery under this contract whether the right to recover on the contract is disputed or not, and independent of all other questions. There shall be no right to an appraisal until a specific demand therefor is made in writing and until after proof of loss has been delivered.

**10.** Sections 112, 115 and 117 of *The Insurance Act* are repealed. R.S.O. 1960, c. 190, ss. 112, 115, 117, repealed

R.S.O. 1960,  
c. 190,  
Part VI  
(ss. 198-226),  
re-enacted

**11.** Subject to section 12, Part VI of *The Insurance Act*, as amended by sections 5 and 6 of *The Insurance Amendment Act, 1961-62* and section 9 of *The Insurance Amendment Act, 1964*, is repealed and the following substituted therefor:

## PART VI

### AUTOMOBILE INSURANCE

Interpre-  
tation

198. In this Part,

- (a) "contract" means a contract of automobile insurance;
- (b) "insured" means a person insured by a contract whether named or not.

Application  
of Part

199.—(1) This Part applies to contracts providing automobile insurance made or renewed in Ontario on or after the 1st day of January, 1968.

Exception

(2) This Part does not apply to contracts insuring only against,

- (a) loss of or damage to an automobile while in or on described premises;
- (b) loss of or damage to property carried in or upon an automobile; or
- (c) liability for loss of or damage to property carried in or upon an automobile.

Idem

R.S.O. 1960,  
c. 72

(3) This Part does not apply to a contract providing insurance in respect of an automobile not required to be registered under *The Highway Traffic Act* unless it is insured under a contract evidenced by a form of policy approved under this Part.

Idem

(4) This Part does not apply to a contract insuring solely the interest of a person who has a lien upon, or has as security legal title to, an automobile and who does not have possession of the automobile.

### APPROVAL OF FORMS

Approval of  
forms by  
Superin-  
tendent

200.—(1) No insurer shall use a form of application, policy, endorsement or renewal or continuation certificate in respect of automobile insurance other than a form approved by the Superintendent.

(2) An insurer may require additional information in an approved application form, but such additional information does not constitute part of the application for the purposes of section 203. Insurer requiring additional information

(3) Where, in the opinion of the Superintendent, any provision of this Part, including any statutory condition, is wholly or partly inappropriate to the requirements of a contract or is inapplicable by reason of the requirements of any Act, he may approve a form of policy, or part thereof, or endorsement evidencing a contract sufficient or appropriate to insure the risks required or proposed to be insured, and the contract evidenced by the policy or endorsement in the form so approved is effective and binding according to its terms notwithstanding that those terms are inconsistent with, vary, omit or add to any provision or condition of this Part. Approval of policies in special cases

(4) Except as to matters mentioned in section 212, the Superintendent may, if he considers it to be in the public interest, approve a form of motor vehicle liability policy or endorsement thereto that extends the insurance beyond that prescribed in this Part. Approval of extensions

(5) The Superintendent, in granting an approval under subsection 4, may require the insurer to charge an additional premium for the extension and to state that fact in the policy or in any endorsement. Condition of approval of extension

(6) The Superintendent may revoke an approval given under this section, and, upon notification of the revocation in writing, no insurer shall thereafter use or deliver a form that contravenes the notification. Revocation of approval

(7) The Superintendent shall, on request of any interested insurer, specify in writing his reasons for granting, refusing or revoking an approval of a form. Reason for decision

(8) An insurer that issues or delivers an owner's policy in Ontario, or any renewal thereof, or any evidence of the continuation of the policy, shall issue to the insured a card evidencing the insurance, and the card shall be in a form approved by the Superintendent. Insurance card

#### APPLICATION AND POLICY

201. No person carrying on the business of financing the sale or purchase of automobiles and no automobile dealer, insurance agent or broker and no officer or employee of such a person, dealer, agent or broker shall act as the agent of an applicant for the purpose of signing an application for automobile insurance. Persons forbidden to act as agent



Copy of  
application  
in policy

202.—(1) A copy of the written application, signed by the insured or his agent, or, if no signed application is made, a copy of the purported application, or a copy of such part of the application or purported application as is material to the contract, shall be embodied in, endorsed upon or attached to the policy when issued by the insurer.

Policy  
issued where  
no signed  
application

(2) If no signed written application is received by the insurer prior to the issue of the policy, the insurer shall deliver or mail to the insured named in the policy, or to the agent for delivery or mailing to the insured, a form of application to be completed and signed by the insured and returned to the insurer.

Insured  
entitled to  
copy

(3) The insurer shall deliver or mail to the insured named in the policy, or to the agent for delivery or mailing to the insured, the policy or a true copy thereof and every endorsement or other amendment to the contract.

Form of  
policy

(4) Where a written application signed by the insured or his agent is made for a contract, the policy evidencing the contract shall be deemed to be in accordance with the application unless the insurer points out in writing to the insured named in the policy in what respect the policy differs from the application, and, in that event, the insured shall be deemed to have accepted the policy unless within one week from the receipt of the notification he informs the insurer in writing that he rejects the policy.

Endorse-  
ment on  
forms

(5) Upon every application form and policy, there shall be printed or stamped in conspicuous type a copy of subsection 1 of section 203.

Misrepre-  
sentation or  
violation of  
conditions  
renders  
claim  
invalid

203.—(1) Where,

(a) an applicant for a contract,

(i) gives false particulars of the described automobile to be insured to the prejudice of the insurer, or

(ii) knowingly misrepresents or fails to disclose in the application any fact required to be stated therein;

(b) the insured contravenes a term of the contract or commits a fraud; or

(c) the insured wilfully makes a false statement in respect of a claim under the contract,

a claim by the insured is invalid and the right of the insured to recover indemnity is forfeited.



(2) No statement of the applicant shall be used in defence of a claim under the contract unless it is contained in the signed written application therefor or, where no signed written application is made, in the purported application, or part thereof, that is embodied in, endorsed upon or attached to the policy. <sup>Use of application as defence</sup>

(3) No statement contained in a purported copy of the application, or part thereof, other than a statement describing the risk and the extent of the insurance, shall be used in defence of a claim under the contract unless the insurer proves that the applicant made the statement attributed to him in the purported application, or part thereof. <sup>Idem</sup>

204.—(1) Subject to subsection 3 of section 200, section 205 and section 225, <sup>Statutory conditions</sup>

(a) the conditions set forth in this section are statutory conditions and shall be deemed to be part of every contract and shall be printed in every policy with the heading “Statutory Conditions”; and

(b) no variation or omission of or addition to a statutory condition is binding on the insured.

(2) In this section, “policy” does not include an interim receipt or binder. <sup>Interpretation</sup>

### STATUTORY CONDITIONS

In these statutory conditions, unless the context otherwise requires, the word “insured” means a person insured by this contract whether named or not.

**Material Change in Risk** 1.—(1) The insured named in this contract shall promptly notify the insurer or its local agent in writing of any change in the risk material to the contract and within his knowledge.

(2) Without restricting the generality of the foregoing, the words “change in the risk material to the contract” include:

(a) any change in the insurable interest of the insured named in this contract in the automobile by sale, assignment or otherwise, except through change of title by succession, death or proceedings under the *Bankruptcy Act* (Canada);

and in respect of insurance against loss of or damage to the automobile,

(b) any mortgage, lien or encumbrance affecting the automobile after the application for this contract;

(c) any other insurance of the same interest, whether valid or not, covering loss or damage insured by this contract or any portion thereof.

**Prohibited Use by Insured** 2.—(1) The insured shall not drive or operate the automobile,

(a)

- (a) while under the influence of intoxicating liquor or drugs to such an extent as to be for the time being incapable of the proper control of the automobile; or
- (b) unless he is for the time being either authorized by law or qualified to drive or operate the automobile; or
- (c) while he is under the age of sixteen years or under such other age as is prescribed by the law of the province in which he resides at the time this contract is made as being the minimum age at which a licence or permit to drive an automobile may be issued to him; or
- (d) for any illicit or prohibited trade or transportation; or
- (e) in any race or speed test.

**Prohibited Use  
by Others**

(2) The insured shall not permit, suffer, allow or connive at the use of the automobile,

- (a) by any person under the influence of intoxicating liquor or drugs to such an extent as to be for the time being incapable of the proper control of the automobile; or
- (b) by any person,
  - (i) unless that person is for the time being either authorized by law or qualified to drive or operate the automobile; or
  - (ii) while that person is under the age of sixteen years or under such other age as is prescribed by the law of the province in which he resides at the time this contract is made as being the minimum age at which a licence or permit to drive an automobile may be issued to him; or
- (c) for any illicit or prohibited trade or transportation; or
- (d) in any race or speed test.

**Requirements  
Where Loss  
or Damage to  
Persons or  
Property**

3.—(1) The insured shall,

- (a) promptly give to the insurer written notice, with all available particulars, of any accident involving loss or damage to persons or property and of any claim made on account of the accident;
  - (b) verify by statutory declaration, if required by the insurer, that the claim arose out of the use or operation of the automobile and that the person operating or responsible for the operation of the automobile at the time of the accident is a person insured under this contract; and
  - (c) forward immediately to the insurer every letter, document, advice or writ received by him from or on behalf of the claimant.
- (2) The insured shall not,
- (a) voluntarily assume any liability or settle any claim except at his own cost; or
  - (b) interfere in any negotiations for settlement or in any legal proceeding.

(3) The insured shall, whenever requested by the insurer, aid in securing information and evidence and the attendance of any witness and shall co-operate with the insurer, except in a pecuniary way, in the defence of any action or proceeding or in the prosecution of any appeal.

**Requirements  
Where Loss  
or Damage to  
Automobile**

4.—(1) Where loss of or damage to the automobile occurs, the insured shall, if the loss or damage is covered by this contract,

(a) promptly give notice thereof in writing to the insurer with the fullest information obtainable at the time;

(b) at the expense of the insurer, and as far as reasonably possible, protect the automobile from further loss or damage; and

(c) deliver to the insurer within ninety days after the date of the loss or damage a statutory declaration stating, to the best of his knowledge and belief, the place, time, cause and amount of the loss or damage, the interest of the insured and of all others therein, the encumbrances thereon, all other insurance, whether valid or not, covering the automobile and that the loss or damage did not occur through any wilful act or neglect, procurement, means or connivance of the insured.

(2) Any further loss or damage accruing to the automobile directly or indirectly from a failure to protect it as required under subcondition 1 of this condition is not recoverable under this contract.

(3) No repairs, other than those that are immediately necessary for the protection of the automobile from further loss or damage, shall be undertaken and no physical evidence of the loss or damage shall be removed,

(a) without the written consent of the insurer; or

(b) until the insurer has had a reasonable time to make the examination for which provision is made in statutory condition 5.

**Examination  
of Insured**

(4) The insured shall submit to examination under oath, and shall produce for examination at such reasonable place and time as is designated by the insurer or its representative all documents in his possession or control that relate to the matters in question, and he shall permit extracts and copies thereof to be made.

**Insurer Liable  
for Cash Value  
of Automobile**

(5) The insurer shall not be liable for more than the actual cash value of the automobile at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to that actual cash value with proper deduction for depreciation, however caused, and shall not exceed the amount that it would cost to repair or replace the automobile, or any part thereof, with material of like kind and quality, but, if any part of the automobile is obsolete and out of stock, the liability of the insurer in respect thereof shall be limited to the value of that part at the time of loss or damage, not exceeding the maker's latest list price.

**Repair or  
Replacement**

(6) Except where an appraisal has been made, the insurer, instead of making payment, may, within a reasonable time, repair, rebuild or replace the property damaged or lost with other of like kind and quality if, within seven days after the receipt of the proof of loss, it gives written notice of its intention to do so.

**No Abandonment; Salvage**

(7) There shall be no abandonment of the automobile to the insurer without the insurer's consent. If the insurer exercises the option to replace the automobile or pays the actual cash value of the automobile, the salvage, if any, shall vest in the insurer.

**In Case of  
Disagreement**

(8) In the event of disagreement as to the nature and extent of the repairs and replacements required, or as to their adequacy, if effected, or as to the amount payable in respect of any loss or damage, those questions shall be determined by appraisal as provided under *The Insurance Act* before there can be recovery under this contract, whether the right to recover on the

contract is disputed or not, and independent of all other questions. There shall be no right to an appraisal until a specific demand therefor is made in writing and until after proof of loss has been delivered.

**Inspection of  
Automobile**

5. The insured shall permit the insurer at all reasonable times to inspect the automobile and its equipment.

**Time and  
Manner of  
Payment of  
Insurance  
Money**

6.—(1) The insurer shall pay the insurance money for which it is liable under this contract within sixty days after the proof of loss has been received by it or, where an appraisal is made under subcondition 8 of statutory condition 4, within fifteen days after the award is rendered by the appraisers.

**When Action  
May be Brought**

(2) The insured shall not bring an action to recover the amount of a claim under this contract unless the requirements of statutory conditions 3 and 4 are complied with or until the amount of the loss has been ascertained as therein provided or by a judgment against the insured after trial of the issue or by agreement between the parties with the written consent of the insurer.

**Limitation of  
Actions**

(3) Every action or proceeding against the insurer under this contract in respect of loss or damage to the automobile shall be commenced within one year next after the happening of the loss and not afterwards, and in respect of loss or damage to persons or property shall be commenced within one year next after the cause of action arose and not afterwards.

**Who May Give  
Notice and  
Proofs of Claim**

7. Notice of claim may be given and proofs of claim may be made by the agent of the insured named in this contract in case of absence or inability of the insured to give the notice or make the proof, such absence or inability being satisfactorily accounted for or, in the like case or if the insured refuses to do so, by a person to whom any part of the insurance money is payable.

**Termination**

8.—(1) This contract may be terminated,

(a) by the insurer giving to the insured fifteen days' notice of termination by registered mail or five days' written notice of termination personally delivered;

(b) by the insured at any time on request.

(2) Where this contract is terminated by the insurer,

(a) the insurer shall refund the excess of premium actually paid by the insured over the *pro rata* premium for the expired time, but in no event shall the *pro rata* premium for the expired time be deemed to be less than any minimum retained premium specified; and

(b) the refund shall accompany the notice unless the premium is subject to adjustment or determination as to the amount, in which case the refund shall be made as soon as practicable.

(3) Where this contract is terminated by the insured, the insurer shall refund as soon as practicable the excess of premium actually paid by the insured over the short rate premium for the expired time, but in no event shall the short rate premium for the expired time be deemed to be less than any minimum retained premium specified.

(4) The refund may be made by money, postal or express company money order or cheque payable at par.

(5) The fifteen days mentioned in clause *a* of subcondition 1 of this condition commences to run on the day following the receipt of the registered letter at the post office to which it is addressed.



**Notice**

9. Any written notice to the insurer may be delivered at, or sent by registered mail to, the chief agency or head office of the insurer in Ontario. Written notice may be given to the insured named in this contract by letter personally delivered to him or by registered mail addressed to him at his latest post office address as notified to the insurer. In this condition, the expression "registered" means registered in or outside Canada.

205.—(1) Except as otherwise provided in the contract, the statutory conditions set forth in section 204 do not apply to insurance coming within section 225, 226a or 226c. Exceptions respecting statutory conditions

(2) Where a contract does not insure against liability for loss or damage to persons and property, statutory condition 3 in section 204 is not a part of the policy and may be omitted from the printing of the conditions in the policy. Idem

(3) Where a contract does not insure against loss of or damage to the automobile, statutory condition 4 in section 204 is not a part of the policy and may be omitted from the printing of the conditions in the policy. Idem

**MOTOR VEHICLE LIABILITY POLICIES**

206.—(1) Every contract evidenced by an owner's policy insures the person named therein and every other person who with his consent personally drives an automobile owned by the insured named in the contract and within the description or definition thereof in the contract against liability imposed by law upon the insured named in the contract or that other person for loss or damage, Coverage of owner's policy, specific automobile

(a) arising from the ownership, use or operation of any such automobile; and

(b) resulting from bodily injury to or the death of any person, and damage to property.

(2) Where the contract evidenced by an owner's policy also provides insurance against liability in respect of an automobile not owned by the insured named in the contract, an insurer may stipulate in the contract that the insurance is restricted to such persons as are specified in the contract. Idem, other automobiles

(3) Where the insured named in an owner's policy dies, the following persons shall be deemed to be the insured under the policy: Death of person named in owner's policy

1. The spouse of the deceased insured if residing in the same dwelling premises at the time of his death.



2. In respect of the described automobile, a newly-acquired automobile that was acquired by the deceased insured prior to his death and a temporary substitute automobile, all as defined by the policy,

- i. any person having proper temporary custody thereof until grant of probate or administration to the personal representative of the deceased insured,
- ii. the personal representative of the deceased insured.

Coverage of  
non-owner's  
policy

207. Every contract evidenced by a non-owner's policy insures the person named therein and such other person, if any, as is specified in the policy against liability imposed by law upon the insured named in the contract or that other person for loss or damage,

- (a) arising from the use or operation of an automobile within the definition thereof in the policy, other than an automobile owned by him or registered in his name; and
- (b) resulting from bodily injury to or the death of any person, and damage to property.

Persons  
deemed not  
owners

208. For the purposes of this Part, a person shall not be deemed to be the owner of an automobile for the reason only that he has a lien on the automobile or has legal title to the automobile as security.

Territorial  
limits

209. Insurance under sections 206 and 207 applies to the ownership, use or operation of the insured automobile within Canada and the United States of America and upon a vessel plying between ports of those countries.

Rights of  
unnamed  
insured

210. Any person insured by but not named in a contract to which section 206 or 207 applies may recover indemnity in the same manner and to the same extent as if named therein as the insured, and for that purpose shall be deemed to be a party to the contract and to have given consideration therefor.

Additional  
agreements

211. Every contract evidenced by a motor vehicle liability policy shall provide that, where a person insured by the contract is involved in an accident resulting from the ownership, use or operation of an automobile in respect of which insurance is provided under the contract and resulting in loss or damage to persons or property, the insurer shall,

(a)

- (a) upon receipt of notice of loss or damage caused to persons or property, make such investigations, conduct such negotiations with the claimant and effect such settlement of any resulting claims as are deemed expedient by the insurer;
- (b) defend in the name and on behalf of the insured and at the cost of the insurer any civil action that is at any time brought against the insured on account of loss or damage to persons or property;
- (c) pay all costs taxed against the insured in any civil action defended by the insurer and any interest accruing after entry of judgment upon that part of the judgment that is within the limits of the insurer's liability; and
- (d) where the injury is to a person, reimburse the insured for outlay for such medical aid as is immediately necessary at the time.

212. The insurer is not liable under a contract evidenced by a motor vehicle liability policy for any liability, <sup>Exceptions from liability</sup>

- (a) imposed by any workmen's compensation law upon any person insured by the contract;
- (b) resulting from bodily injury to or the death of,
  - (i) the daughter, son, wife or husband of any person insured by the contract while being carried in or upon or entering or getting on to or alighting from the automobile, or
  - (ii) any person insured by the contract; or
- (c) resulting from bodily injury to or the death of any employee of any person insured by the contract while engaged in the operation or repair of the automobile.

213. The insurer may provide under a contract evidenced <sup>Idem</sup> by a motor vehicle liability policy, in either or both of the following cases, that it shall not be liable,

- (a) to indemnify any person engaged in the business of selling, repairing, maintaining, servicing, storing or parking automobiles for any loss or damage sustained while engaged in the use or operation of or while working upon the automobile in the course of that business unless the person is the owner of the automobile or is his employee; or

(b)

- (b) for loss of or damage to property carried in or upon the automobile or to any property owned or rented by or in the care, custody or control of the insured.

*Idem*

214. Subject to the limitations and exclusions of the endorsement, the insurer may provide by endorsement to a contract evidenced by a motor vehicle liability policy, in either or both of the following cases, that it shall not be liable for loss or damage,

- (a) resulting from bodily injury to or the death of any person being carried in or upon or entering or getting on to or alighting from the automobile; or
- (b) resulting from the ownership, use or operation of any machinery or apparatus, including its equipment, mounted on or attached to the automobile while such automobile is at the site of the use or operation of that machinery or apparatus.

*Idem*

215.—(1) The insurer may provide under a contract evidenced by a motor vehicle liability policy, in one or more of the following cases, that it shall not be liable while,

- (a) the automobile is rented or leased to another person;
- (b) the automobile is used to carry explosives or to carry radioactive material for research, education, development or industrial purposes or for purposes incidental thereto;
- (c) the automobile is used as a taxi-cab, public omnibus, livery, jitney or sightseeing conveyance or for carrying passengers for compensation or hire;
- (d) where the insured vehicle is an automobile, other than a trailer, it is used for towing a trailer owned by the insured unless like indemnity is also provided by the insurer in respect of the trailer; or
- (e) where the insured vehicle is a trailer, it is towed by an automobile owned by the insured unless like indemnity is also provided by the insurer in respect of the automobile.

*Interpre-  
tation*

(2) In clause *b* of subsection 1, "radioactive material" means,

- (a) spent nuclear fuel rods that have been exposed to radiation in a nuclear reactor;
- (b) radioactive waste material;

(c)

- (c) unused enriched nuclear fuel rods; or
- (d) any other radioactive material of such quantity and quality as to be harmful to persons or property if its container is destroyed or damaged.

(3) Clause *a* of subsection 1 does not include the use by an <sup>Exception</sup> employee of his automobile on the business of his employer and for which he is paid.

(4) Clause *c* of subsection 1 does not include, <sup>Certain rules excepted</sup>

- (a) the use by a person of his automobile for the carriage of another person in return for the former's carriage in the automobile of the latter;
- (b) the occasional and infrequent use by a person of his automobile for the carriage of another person who shares the cost of the trip;
- (c) the use by a person of his automobile for the carriage of a temporary or permanent domestic servant of the insured or his spouse; or
- (d) the use by a person of his automobile for the carriage of a client or customer or a prospective client or customer.

216.—(1) Every contract evidenced by a motor vehicle <sup>Minimum liability under policy</sup> liability policy insures, in respect of any one accident, to the limit of at least \$35,000, exclusive of interest and costs, against liability resulting from bodily injury to or the death of one or more persons and loss of or damage to property.

(2) The contract shall be interpreted to mean that where, <sup>Priorities</sup> by reason of any one accident, liability results from bodily injury or death and from loss of or damage to property,

- (a) claims against the insured arising out of bodily injury or death have priority to the extent of \$30,000 over claims arising out of loss of or damage to property; and
- (b) claims against the insured arising out of loss of or damage to property have priority to the extent of \$5,000 over claims arising out of bodily injury or death.

(3) The insurer may, instead of specifying a limit in the <sup>Minimum limits where separate limits designated</sup> policy for an inclusive amount, specify a limit of liability of at least \$35,000, exclusive of interest and costs, against liability

resulting



resulting from bodily injury to or the death of one or more persons and a limit of liability of at least \$35,000, exclusive of interest and costs, against liability for loss of or damage to property.

Variation  
of limits

(4) Nothing in this Part precludes an insurer, with respect to a limit or limits in excess of those specified in subsection 1 or 3, from increasing or reducing the limit or limits specified in the contract with respect to the use or operation of the automobile by a named person, but no reduction is effective for a limit less than that required under subsection 1 or 3.

Stipulation  
in motor  
vehicle  
liability  
policy

217.—(1) Every motor vehicle liability policy issued in Ontario shall provide that, in the case of liability arising out of the ownership, use or operation of the automobile in any province or territory of Canada,

- (a) the insurer shall be liable up to the minimum limits prescribed for that province or territory if those limits are higher than the limits prescribed by the policy;
- (b) the insurer shall not set up any defence to a claim that might not be set up if the policy were a motor vehicle liability policy issued in that province or territory; and
- (c) the insured, by acceptance of the policy, constitutes and appoints the insurer his irrevocable attorney to appear and defend in any province or territory of Canada in which an action is brought against the insured arising out of the ownership, use or operation of the automobile.

Power of  
attorney  
binding

(2) A provision in a motor vehicle liability policy in accordance with clause *c* of subsection 1 is binding on the insured.

Excess  
insurance

218.—(1) Nothing in this Part precludes an insurer from providing insurance under a contract evidenced by a motor vehicle liability policy restricted to a limit in excess of that provided by another designated contract evidenced by a motor vehicle liability policy, whether the designated contract is a first loss insurance or an excess insurance.

Termination  
of excess  
insurance

(2) Where the contract designated in the excess contract terminates or is terminated, the excess contract is also automatically terminated.

Agreement  
for partial  
payment of  
claim by  
insured

219. Nothing in this Part precludes an insurer from entering into an agreement with its insured under a contract evidenced by a motor vehicle liability policy providing that

the



the insured will reimburse the insurer in an agreed amount in respect of any claim by or judgment in favour of a third party against the insured, and the agreement may be enforced against the insured according to its tenor.

220.—(1) In this section, “nuclear energy hazard” means the radioactive, toxic, explosive or other hazardous properties of prescribed substances under the *Atomic Energy Control Act* (Canada). Interpretation  
R.S.C. 1952,  
c. 11

(2) Where an insured is covered, whether named therein or not, under a contract evidenced by a motor vehicle liability policy for loss or damage resulting from bodily injury to or the death of any person or damage to property arising directly or indirectly out of a nuclear energy hazard and is also covered, whether named therein or not, against such loss or damage under a contract evidenced by a policy of nuclear energy hazard liability insurance issued by a group of insurers and in force at the time of the event giving rise to the loss or damage, Liability  
when  
nuclear  
energy con-  
tract also  
in force

- (a) the motor vehicle liability insurance is excess to the nuclear energy hazard liability insurance, and the insurer under the contract of motor vehicle liability insurance is not liable to pay beyond the minimum limits prescribed by section 216; and
- (b) the unnamed insured under the contract of nuclear energy liability insurance may, in respect of such loss or damage, recover indemnity under that contract in the same manner and to the same extent as if named therein as the insured, and for that purpose he shall be deemed to be a party to the contract and to have given consideration therefor.

(3) For the purpose of this section, a contract of nuclear energy hazard liability insurance shall be deemed to be in force at the time of the event giving rise to the loss or damage, notwithstanding that the limits of liability thereunder have been exhausted. When con-  
tract deemed  
in force

221.—(1) Where a person is insured under more than one contract evidenced by a motor vehicle liability policy, whether the insurance is first loss insurance or excess, and a question arises under clause *b* of section 211 between an insurer and the insured or between the insurers as to which insurer shall undertake the obligation to defend in the name and on behalf of the insured, whether or not any insurer denies liability under its contract, the insured or any insurer may apply to the Defence  
where more  
than one  
contract

Supreme Court, and the court shall give such directions as may appear proper with respect to the performance of the obligation.

**Hearing**

(2) On an application under subsection 1, the only parties entitled to notice thereof and to be heard thereon are the insured and his insurers, and no material or evidence used or taken upon such an application is admissible upon the trial of an action brought against the insured for loss or damage to persons or property arising out of the use or operation of the automobile in respect of which the insurance is provided.

**Order**

(3) An order under subsection 1 does not affect the rights and obligations of the insurers in respect of payment of any indemnity under their respective policies.

**Contribution**

(4) Where indemnity is provided to the insured under two or more contracts and one or more of them are excess insurance, the insurers shall, as between themselves, contribute to the payment of expenses, costs and reimbursement for which provision is made in section 211 in accordance with their respective liabilities for damages awarded against the insured.

**Application  
of insurance  
money under  
motor  
vehicle  
liability  
policy**

222.—(1) Any person who has a claim against an insured for which indemnity is provided by a contract evidenced by a motor vehicle liability policy, notwithstanding that such person is not a party to the contract, may, upon recovering a judgment therefor in any province or territory of Canada against the insured, have the insurance money payable under the contract applied in or towards satisfaction of his judgment and of any other judgments or claims against the insured covered by the contract and may, on behalf of himself and all persons having such judgments or claims, maintain an action against the insurer to have the insurance money so applied.

**Limitation**

(2) No action shall be brought against an insurer under subsection 1 after the expiration of one year from the final determination of the action against the insured, including appeals if any.

**Other  
creditors  
excluded**

(3) A creditor of the insured is not entitled to share in the insurance money payable under any contract unless his claim is one for which indemnity is provided for by that contract.

**Insurer  
absolutely  
liable**

(4) The right of a person who is entitled under subsection 1 to have insurance money applied upon his judgment or claim is not prejudiced by,

- (a) an assignment, waiver, surrender, cancellation or discharge of the contract, or of any interest therein or of

the proceeds thereof, made by the insurer after the happening of the event giving rise to a claim under the contract;

(b) any act or default of the insured before or after that event in contravention of this Part or of the terms of the contract; or

(c) any contravention of the *Criminal Code* (Canada) or <sup>1953-54, c. 51 (Can.)</sup> a statute of any province or territory of Canada or of any state or the District of Columbia of the United States of America by the owner or driver of the automobile,

and nothing mentioned in clause *a*, *b* or *c* is available to the insurer as a defence in an action brought under subsection 1.

(5) It is not a defence to an action under this section that an instrument issued as a motor vehicle liability policy by a person engaged in the business of an insurer and alleged by a party to the action to be such a policy is not a motor vehicle liability policy, and this section applies *mutatis mutandis* to the instrument. <sup>Section applicable to purported policy</sup>

(6) The insurer may require any other insurers liable to indemnify the insured in whole or in part in respect of judgments or claims to which reference is made in subsection 1 to be made parties to the action and contribute according to their respective liabilities, whether the contribution is rateably or by way of first loss or excess insurance, as the case may be, and the insured shall on demand furnish the insurer with particulars of all other insurance covering the subject-matter of the contract. <sup>Contribution among insurers</sup>

(7) Where any person has recovered a judgment against the insured and is entitled to bring action under subsection 1, and the insurer admits liability to pay the insurance money under the contract and the insurer considers that, <sup>Payment into court</sup>

(a) there are or may be other claimants; or

(b) there is no person capable of giving and authorized to give a valid discharge for payment who is willing to do so,

the insurer may apply to the court *ex parte* for an order for payment of the money into court, and the court may, upon such notice, if any, as it thinks necessary, make an order accordingly.



Effect of  
order

(8) The receipt of the proper officer of the court is sufficient discharge to the insurer for the insurance money paid into court under subsection 7, and the insurance money shall be dealt with as the court may order upon application of any person interested therein.

Defence to  
passenger  
claim and  
re excess  
limits  
relating to  
section 215  
coverage

(9) Notwithstanding anything contained therein to the contrary, every contract evidenced by a motor vehicle liability policy shall, for the purposes of this section, be deemed to provide all the types of coverage mentioned in section 215, but the insurer is not liable to a claimant,

- (a) where the claim results from bodily injury to or the death of any person being carried in or upon or entering or getting on to or alighting from the automobile; or
- (b) with respect to such coverage in excess of the limits mentioned in section 216.

Defence  
where  
coverage  
under  
ss. 213, 214

(10) Where one or more contracts provide for coverage of a type mentioned in section 213 or 214, except as provided in subsection 12, the insurer may,

- (a) with respect to that type of coverage; and
- (b) as against a claimant,

avail itself of any defence that it is entitled to set up against the insured, notwithstanding subsection 4.

Defence  
where excess  
limits

(11) Where one or more contracts provide for coverage in excess of the limits mentioned in section 216, except as provided in subsection 12, the insurer may,

- (a) with respect to the coverage in excess of those limits; and
- (b) as against a claimant,

avail itself of any defence that it is entitled to set up against the insured, notwithstanding subsection 4.

Defence  
where  
vehicle  
used in  
business of  
carrying  
passengers

(12) Where a contract provides coverage of the type mentioned in clause *a* of section 214 in respect of an automobile operated in the business of carrying passengers for compensation or hire and insured for that purpose, the insurer may,

- (a) with respect to that type of coverage; and

(b)

(b) as against a claimant,

only avail itself of a defence that it is entitled to set up against the insured in respect of that part of the coverage, if any, that exceeds,

(c) the limits mentioned in section 216; or

(d) the minimum limits required for that type of coverage by or under any other Act,

whichever is the greater.

(13) The insured shall reimburse the insurer upon demand in the amount that the insurer has paid by reason of this section and that it would not otherwise be liable to pay. Insured's liability to reimburse insurer

(14) Where an insurer denies liability under a contract evidenced by a motor vehicle liability policy, it shall, upon application to the court, be made a third party in any action to which the insured is a party and in which a claim is made against the insured by any party to the action in which it is or might be asserted that indemnity is provided by the contract, whether or not the insured enters an appearance or defence in the action. Insurer may be made third party

(15) Upon being made a third party, the insurer may, Rights of insurer

- (a) contest the liability of the insured to any party claiming against the insured;
- (b) contest the amount of any claim made against the insured;
- (c) deliver any pleadings in respect of the claim of any party claiming against the insured;
- (d) have production and discovery from any party adverse in interest; and
- (e) examine and cross-examine witnesses at the trial,

to the same extent as if it were a defendant in the action.

(16) An insurer may avail itself of subsection 15 notwithstanding that another insurer is defending in the name and on behalf of the insured an action to which its insured is a party. Idem

223.—(1) Every insured against whom an action is commenced for damages occasioned by an automobile shall give notice thereof in writing to the insurer within five days after service of every notice or process in the action. Insured to give notice of action



Insured to  
disclose  
insurance

(2) Every insured against whom an action is commenced for damages occasioned by an automobile shall, upon recovery of a judgment against the insured, disclose to a judgment creditor entitled to the benefit of any motor vehicle liability policy particulars of such contract within ten days after written demand therefor.

#### PHYSICAL DAMAGE COVER

Stipulations  
in physical  
damage  
cover

224. Subject to subsection 1 of section 200, the insurer may provide in a contract such exclusions and limitations, in respect of loss of or damage to or the loss of use of the automobile, as it considers necessary.

Partial pay-  
ment of loss  
clause

225.—(1) A contract or part of a contract providing insurance against loss of or damage to an automobile and the loss of use thereof may contain a clause to the effect that, in the event of loss, the insurer shall pay only,

(a) an agreed portion of any loss that may be sustained;  
or

(b) the amount of the loss after deduction of a sum specified in the policy,

and in either case not exceeding the amount of the insurance.

Stamping  
required

(2) Where a clause is inserted in accordance with subsection 1, there shall be printed or stamped upon the face of the policy in conspicuous type the words: "This policy contains a partial payment of loss clause."

Claims to  
be adjusted  
with  
insured

226.—(1) Where a claim is made under any contract other than a contract evidenced by a motor vehicle liability policy, the insurer shall, notwithstanding any agreement, adjust the amount of the claim with the insured named in the contract as well as with any person having an interest indicated in the contract.

Exception

(2) Where notice is given or proof of loss is made by a person other than the insured, because the insured cannot be located or neglects or refuses or is unable to give notice and make claim under statutory conditions 4 and 7 in section 204, the insurer may, notwithstanding subsection 1 but in any event not earlier than sixty days from delivery of the proof required under clause c of subcondition 1 of said statutory condition 4, adjust and pay the claim to the other person having an interest indicated in the contract.

## LIMITED ACCIDENT INSURANCES

226a.—(1) Where an insurer provides in a contract insurance against loss resulting from bodily injury to or the death of a person insured arising out of an accident involving an automobile where, Uninsured motorist cover

- (a) there is legal liability of another person for the injury or death; and
- (b) the other person has no insurance against his liability therefor or that person cannot be identified,

that insurance applies only in respect of,

- (c) any person who sustains bodily injury or death while driving, being carried in or upon or entering or getting on to or alighting from the described automobile in respect of which insurance of the class mentioned in clause a of paragraph 7 of section 1 is provided under the contract; and
- (d) the insured named in the contract and his or her spouse and any dependent relative residing in the same dwelling premises as the insured named in the contract who sustains bodily injury or death while driving, being carried in or upon or entering or getting on to or alighting from or as a result of being struck by any other automobile that is defined in the contract for the purposes of that insurance.

(2) The insurance mentioned in subsection 1 does not apply in respect of a person specified therein who has a right of recovery under *The Motor Vehicle Accident Claims Act* or similar legislation of any other province or territory of Canada or of any state or the District of Columbia of the United States of America. Limited application  
1961-62,  
c. 84

226b.—(1) Where in a contract an insurer provides insurance against expenses for medical, surgical, dental, ambulance, hospital, professional nursing or funeral services, the insurance applies only in respect of reasonable expenses, Medical expense coverage

- (a) of or incurred for any person who sustains bodily injury or death while driving or being carried in or upon or entering or getting on to or alighting from or, if not the occupant of another automobile, as a result of being struck by an automobile owned by the insured named in the contract in respect of which

insurance

insurance of the class mentioned in clause *a* of paragraph 7 of section 1 is provided under the contract; and

- (b) of the insured named in the contract and his or her spouse and any dependent relative residing in the same dwelling premises as the insured named in the contract who sustains bodily injury or death while driving or being carried in or upon or entering or getting on to or alighting from or as a result of being struck by any other automobile that is defined in the contract for the purposes of that insurance.

Release by  
claimant

(2) Where an insurer makes a payment under a contract of insurance referred to in subsection 1, the payment constitutes, to the extent of such payment, a release by the insured person or his personal representatives of any claim that the insured person or his personal representatives or any person claiming through or under him or by virtue of *The Fatal Accidents Act* may have against the insurer and by any other person who may be liable to the insured person or his personal representatives if that other person is insured under a contract referred to in subsection 1, but nothing in this subsection precludes an insurer from demanding, as a condition precedent to payment, a release to the extent of the payment from the person insured or his personal representatives or any other person.

R.S.O. 1960,  
c. 138

First loss  
and excess  
insurance

(3) The insurance mentioned in clause *a* of subsection 1 is a first loss insurance, and any other automobile insurance of the same type available to the injured person or in respect of a deceased person is excess insurance only.

Excess  
insurance

(4) The insurance mentioned in clause *a* of subsection 1 is excess insurance to any other insurance not being automobile insurance of the same type indemnifying the injured person or in respect of a deceased person for the expenses.

Idem

(5) The insurance mentioned in clause *b* of subsection 1 is excess insurance to any other insurance indemnifying the injured person or in respect of a deceased person for the expenses.

Accident  
benefits

226c.—(1) Where in a contract an insurer provides accident insurance benefits in respect of the death of or injury to an insured person arising out of an accident involving an automobile, the insurance applies only in respect of,

- (a) any person who sustains bodily injury or death while driving or being carried in or upon or entering or getting on to or alighting from or, if not the occupant

of another automobile, as a result of being struck by an automobile owned by the insured named in the contract in respect of which insurance of the class mentioned in clause *a* of paragraph 7 of section 1 is provided under the contract; and

- (b) the insured named in the contract and his or her spouse and any dependent relative residing in the same dwelling premises as the named insured who sustains bodily injury or death while driving or being carried in or upon or entering or getting on to or alighting from or as a result of being struck by any other automobile that is defined in the policy for the purposes of the insurance.

(2) Where an insurer makes a payment under a contract of insurance to which subsection 1 refers, the payment constitutes, to the extent of such payment, a release by the insured person or his personal representatives of any claim that the insured person or his personal representatives or any person claiming through or under him or by virtue of *The Fatal Accidents Act* may have against the insurer and by any other person who may be liable to the insured person or his personal representatives if that other person is insured under a contract of the same type as is specified in subsection 1, but nothing in this subsection precludes an insurer from demanding, as a condition precedent to payment, a release to the extent of the payment from the person insured or his personal representatives or any other person.

Release by  
claimant  
  
R.S.O. 1960,  
c. 138

(3) Subject to subsection 5, the insurance mentioned in clause *a* of subsection 1 is a first loss insurance, and any other automobile insurance of the same type available to the injured person or in respect of a deceased person is excess insurance only.

First loss  
and excess  
insurance

(4) Subject to subsection 5, the insurance mentioned in clause *b* of subsection 1 is excess insurance over any other automobile insurance of the same type available to the injured person or in respect of a deceased person.

Excess  
insurance

(5) Where a person is entitled to benefits under more than one contract providing insurance of the type mentioned in this section, he or his personal representative or any person claiming through or under him or by virtue of *The Fatal Accidents Act* may recover only an amount equal to,

Limit of  
benefit  
payable

- (a) one benefit, if the benefits under the contracts are of the same limit; or

(b)



- (b) the highest benefit, if the benefits under the contracts are not of the same limit.

Demand for  
particulars  
of insurance

226*d*.—(1) Where a person is injured or killed in an accident in Ontario involving an automobile, that person or his personal representative may serve,

- (a) a demand by registered mail on the owner of the automobile; or
- (b) a demand by registered mail on the insurer of the owner of the automobile,

requiring the owner or insurer, as the case may be, to state in writing to the person making the demand whether or not that owner has insurance of the type mentioned in section 226*b* or 226*c*, and, where the demand is made under clause *a*, requiring the owner, if he has such insurance, to state the name of the insurer.

Offence

(2) An owner or insurer who does not, within ten days after receiving a demand made under subsection 1, comply with the demand is guilty of an offence.

Rights of  
unnamed  
insured

226*e*. Any person insured by but not named in a contract to which section 226*b* or 226*c* applies may recover under the contract in the same manner and to the same extent as if named therein as the insured, and for that purpose shall be deemed to be a party to the contract and to have given consideration therefor.

Payment  
into S.C.O.

226*f*.—(1) Where an insurer admits liability for insurance money payable under section 226*a*, 226*b* or 226*c* and it appears that,

- (a) there are adverse claimants;
- (b) the whereabouts of an insured person entitled is unknown; or
- (c) there is no person capable of giving and authorized to give a valid discharge therefor who is willing to do so,

the insurer may, at any time after thirty days after the date upon which the insurance money becomes payable, apply to the court *ex parte* for an order for payment of the money into the Supreme Court, and the court may upon such notice, if any, as it thinks necessary make an order accordingly.



(2) The receipt of the proper officer of the court is sufficient discharge to the insurer for the insurance money paid into the Supreme Court, and the insurance money shall be dealt with as the court orders. <sup>Discharge of insurer</sup>

226g. Every action or proceeding against an insurer under a contract in respect of insurance provided under section 226a, 226b or 226c shall be commenced within the limitation period specified in the contract, but in no event shall the limitation period be less than one year after the happening of the accident. <sup>Limitation of action</sup>

226h. Where any person makes a claim for damages in respect of bodily injury or death sustained by the person or any other person while driving or being carried in or upon or entering or getting on to or alighting from or as a result of being struck by an automobile, he shall, if required by the person against whom the claim is made or by someone acting on his behalf, furnish to or for that person full particulars of all insurance available to the claimant under contracts falling within the scope of section 226b or 226c, and of any payments of insurance money made or to be made thereunder. <sup>Demand on claimant</sup>

226i. Subject to subsection 1 of section 200, an insurer may in a policy, <sup>Terms of certain insurances</sup>

- (a) provide insurance that is less extensive in scope than the insurance mentioned in section 226a, 226b or 226c; and
- (b) provide the terms of the contract that relate to the insurance mentioned in section 226a, 226b or 226c.

#### OTHER INSURANCE

226j.—(1) Subject to section 220, insurance under a contract evidenced by a valid owner's policy of the kind mentioned in paragraph 44a of section 1 is, in respect of liability arising from or occurring in connection with the ownership, use or operation of an automobile owned by the insured named in the contract and within the description or definition thereof in the policy, a first loss insurance, and insurance attaching under any other valid motor vehicle liability policy is excess insurance only. <sup>Other insurance</sup>

(2) Subject to sections 220, 226b and 226c and to subsection 1 of this section, if the insured named in a contract has or places any other valid insurance, whether against liability for the ownership, use or operation of or against loss of or damage to an automobile or otherwise, of his interest in the subject-

matter

matter of the contract or any part thereof, the insurer is liable only for its rateable proportion of any liability, expense, loss or damage.

#### SUBROGATION

**Subrogation**      226*k*.—(1) An insurer who makes any payment or assumes liability therefor under a contract is subrogated to all rights of recovery of the insured against any person and may bring action in the name of the insured to enforce those rights.

**Pro-rating  
recovery**      (2) Where the net amount recovered whether by action or on settlement is, after deduction of the costs of the recovery, not sufficient to provide complete indemnity for the loss or damage suffered, the amount remaining shall be divided between the insurer and the insured in the proportion in which the loss or damage has been borne by them.

**Action when  
sec. 225  
applies**      (3) Where the interest of an insured in any recovery is limited to the amount provided under a clause in the contract to which section 225 applies, the insurer shall have control of the action.

**Application  
to S.C.O.**      (4) Where the interest of an insured in any recovery exceeds that referred to in subsection 2 and the insured and the insurer cannot agree as to,

- (a) the solicitors to be instructed to bring the action in the name of the insured;
- (b) the conduct and carriage of the action or any matters pertaining thereto;
- (c) any offer of settlement or the apportionment thereof, whether action has been commenced or not;
- (d) the acceptance of any money paid into court or the apportionment thereof;
- (e) the apportionment of costs; or
- (f) the launching or prosecution of an appeal,

either party may apply to the Supreme Court for the determination of the matters in question, and the court shall make such order as it considers reasonable having regard to the interests of the insured and the insurer in any recovery in the action or proposed action or in any offer of settlement.

(5) On an application under subsection 4, the only parties<sup>Idem</sup> entitled to notice and to be heard thereon are the insured and the insurer, and no material or evidence used or taken upon the application is admissible upon the trial of an action brought by or against the insured or the insurer.

(6) A settlement or release given before or after an action is brought does not bar the rights of the insured or the insurer, as the case may be, unless they have concurred therein.<sup>Concurrence in settlement or release</sup>

**12.** Part VI of *The Insurance Act* as it was in force immediately before the day on which section 11 comes into force continues to apply to contracts of automobile insurance made before the day on which section 11 comes into force until the contract expires or is cancelled or renewed.<sup>Exception of existing contracts</sup>

**13.** Clause *e* of subsection 2 of section 228 of *The Insurance Act* is repealed and the following substituted therefor:<sup>R.S.O. 1960, c. 190, s. 228, subs. 2, cl. e, re-enacted</sup>

(*e*) insurance provided under section 226*a*, 226*b* or 226*c*.

**14.** Section 313 of *The Insurance Act* is repealed and the following substituted therefor:<sup>R.S.O. 1960, c. 190, s. 313, re-enacted</sup>

313. The attorney shall, on or before the 1st day of<sup>Annual tax</sup> March in each year, pay to the Treasurer of Ontario for the use of Ontario an annual tax equal to 2 per cent of the gross premiums or deposits, other than those in respect of re-insurance ceded to the exchange by other insurers, collected from subscribers in respect of risks located in Ontario during the preceding calendar year, after deducting returns for cancellations and all amounts returned to subscribers or credited to their accounts as savings during such year.

**15.** Subsection 2 of section 336 of *The Insurance Act* is repealed.<sup>R.S.O. 1960, c. 190, s. 336, subs. 2, repealed</sup>

**16.** *The Insurance Act* is amended by adding thereto the following section:<sup>R.S.O. 1960, c. 190, amended</sup>

336*a*.—(1) Nothing in this Act prohibits the fixing or charging of a special rate for the insurance of two or more vehicles owned by and registered in the name of the same person, except where the owner is engaged in the business of leasing the vehicles and the vehicles are the subject of a leasing agreement for a period in excess of thirty days.<sup>Where special rate permitted</sup>

Idem

- (2) Nothing in this section prohibits the fixing or charging of a special rate for the insurance of two or more vehicles of a lessor that are rented to the same lessee.

R.S.O. 1960,  
c. 190,  
amended

**17.** *The Insurance Act* is amended by adding thereto the following section:

Transfer of  
contracts  
where  
insurer  
leaves  
Ontario

353. Where under an agreement between an insurer, in this section called the "continuing insurer", and another insurer, in this section called the "retiring insurer", in anticipation of the retiring insurer ceasing to do business in Ontario, the continuing insurer assumes liability under contracts of insurance specified in the agreement issued by the retiring insurer and the retiring insurer ceases to carry on business in Ontario, an insured or other person entitled to rights under those contracts may enforce the rights as though those contracts had been issued by the continuing insurer.

R.S.O. 1960,  
c. 190,  
Sched. B,  
amended

**18.** Schedule B of *The Insurance Act* is amended by striking out "Any action that may be brought or commenced in a division court in respect or on account of this note, or any sum to be assessed thereon, may be brought and commenced against the maker hereof in the division court for the division wherein the head office or any agency of the insurer is located" in the sixteenth to twentieth lines and substituting in lieu thereof the following:

**An action that may be brought or commenced in a division court in respect or on account of this note, or any sum to be assessed thereon, may be brought and commenced against the maker hereof in the division court for the division in which the head office or an agency of the insurer is located.**

Commence-  
ment

**19.**—(1) This Act, except sections 1, 2, 3 and 7 to 14, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 2, 3 and 7 to 14 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**20.** This Act may be cited as *The Insurance Amendment Act, 1966*.

## CHAPTER 72

**An Act to amend The Jails Act**

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsections 4, 5, 6 and 7 of section 10 of *The Jails Act* are repealed. R.S.O. 1960, c. 195, s. 10, subss. 4-7, repealed

**2.** This Act comes into force on the day it receives Royal Assent. Commencement

**3.** This Act may be cited as *The Jails Amendment Act*, Short title 1966.





## CHAPTER 73

**An Act to amend The Judicature Act**

*Assented to, except sections 1 and 2, April 6th, 1966*

*Sections 1 and 2 assented to July 8th, 1966*

*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 3 of section 38 of *The Judicature Act* is amended by adding at the end thereof "or to enforce a lien under *The Mechanics' Lien Act*", so that the subsection shall read as follows: R.S.O. 1960, c. 197, s. 38, subs. 3, amended

(3) Subsection 1 does not apply to an action or proceeding for foreclosure or sale upon a registered mortgage or to enforce a lien under *The Mechanics' Lien Act*. Exception R.S.O. 1960, c. 233

**2.** Section 75 of *The Judicature Act* is amended by adding thereto the following subsections: R.S.O. 1960, c. 197, s. 75, amended

(1a) Any duly qualified medical practitioner may in connection with an examination under subsection 1 ask the person being examined any questions that may be relevant to the purpose of the examination. Examiners may ask questions

(1b) Any answer given or statement made by a person being examined during an examination under subsection 1 that is relevant to the purpose of the examination is admissible in evidence. Admissibility of answers

(1c) No person, other than the person being examined and the one or more medical practitioners making the examination, shall be present during the examination except with the consent of the parties or as may be ordered by the court, judge or other person who ordered the examination. Presence of others

**3.** Section 79 of *The Judicature Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 197, s. 79, amended

(5) In any proceeding to which Her Majesty is a party, either as represented by the Attorney General of Crown costs

Ontario or otherwise, costs adjudged to Her Majesty shall not be disallowed or reduced upon taxation merely because the solicitor or the counsel who earned such costs, or in respect of whose services the costs are charged, was a salaried officer of the Crown performing such services in the discharge of his duty and remunerated therefor by his salary, or for that or any other reason not entitled to recover any costs from the Crown in respect of the services so rendered, and the costs recovered by or on behalf of Her Majesty in any such case shall be paid into the Consolidated Revenue Fund.

R.S.O. 1960,  
c. 197, s. 105,  
subs. 12,  
amended

**4.** Subsection 12 of section 105 of *The Judicature Act* is amended by striking out "Provincial Secretary" in the third line and inserting in lieu thereof "Inspector of Legal Offices", so that the subsection shall read as follows:

Audit

(12) The auditor of the Official Guardian appointed by the Lieutenant Governor in Council shall once in every six months transmit to the Inspector of Legal Offices a statement certified by him to be a true statement of the accounts and records of the Official Guardian.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** This Act may be cited as *The Judicature Amendment Act, 1966*.

## CHAPTER 74

## An Act to amend The Jurors Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 17 of *The Jurors Act* is amended by adding at the end thereof "but, where there is a county assessment commissioner or district assessor, his appointee may act in his place", so that the subsection shall read as follows: R.S.O. 1960,  
c. 199, s. 17,  
subs. 1,  
amended

(1) Subject to subsection 2, the head of the council, the clerk, the assessment commissioner and the assessors of every local municipality, any two of whom are a quorum, are *ex officio* the local selectors of jurors for the municipality, but, where there is a county assessment commissioner or district assessor, his appointee may act in his place. Local  
selectors

2. Subsection 3 of section 18 of *The Jurors Act* is amended by inserting after "assessors" in the first line "or, where there is a county assessment commissioner or district assessor, his appointee", so that the subsection shall read as follows: R.S.O. 1960,  
c. 199, s. 18,  
subs. 3,  
amended

(3) The clerk, or the assessment commissioner, or assessors, or, where there is a county assessment commissioner or district assessor, his appointee, or such other officer or person who has the actual charge or custody of the assessment roll for the year and the proper voters' list shall bring them to such meeting. Assessment  
rolls to be  
produced

3. This Act comes into force on the day it receives Royal Assent. Commence-  
ment

4. This Act may be cited as *The Jurors Amendment Act, 1966*. Short title





## CHAPTER 75

**An Act to amend  
The Juvenile and Family Courts Act**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Juvenile and Family Courts Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 201,  
amended

**14a.** The Attorney General and the council or councils of any municipality or municipalities in and for which a juvenile and family court is established may enter into an agreement, Agreements  
with muni-  
cipalities

- (a) providing for the administration and operation by Ontario of the juvenile and family court;
- (b) providing for the payment of the maintenance and operational costs of the juvenile and family court and the apportionment thereof, and, notwithstanding section 14, respecting the employment of the officers and staff thereof; and
- (c) providing for the leasing to Ontario of the premises of the juvenile and family court for a nominal rent.

**2.** The moneys required for the purposes of an agreement under section 14a of *The Juvenile and Family Courts Act*, as enacted by section 1, shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature. Moneys  
R.S.O. 1960,  
c. 201

**3.** This Act shall be deemed to have come into force on the 1st day of April, 1966. Commence-  
ment

**4.** This Act may be cited as *The Juvenile and Family Courts Amendment Act, 1966*. Short title



## CHAPTER 76

## An Act to amend The Labour Relations Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 1 of *The Labour Relations Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 202, s. 1,  
subs. 1,  
amended

(ba) “certified council of trade unions” means a council of trade unions that is certified under this Act as the bargaining agent for a bargaining unit of employees of an employer.

(2) Clause *j* of subsection 1 of the said section 1 is amended by adding at the end thereof “and a certified council of trade unions”, so that the clause shall read as follows: R.S.O. 1960,  
c. 202, s. 1,  
subs. 1,  
cl. *j*,  
amended

(j) “trade union” means an organization of employees formed for purposes that include the regulation of relations between employees and employers and includes a provincial, national or international trade union and a certified council of trade unions.

2.—(1) Section 5 of *The Labour Relations Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 202, s. 5,  
amended

(1a) Where a trade union has been certified as bargaining agent of the employees of an employer in a bargaining unit and has not entered into a collective agreement with the employer and no declaration has been made by the Board that the trade union no longer represents the employees in the bargaining unit, another trade union may, subject to section 46, apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit determined in the certificate only after the expiration of one year from the date of the certificate. Idem

R.S.O. 1960,  
c. 202, s. 5,  
subs. 2,  
amended

(2) Subsection 2 of the said section 5 is amended by striking out "two" in the second line and inserting in lieu thereof "three" and by inserting after "may" in the second line "subject to section 46", so that the subsection shall read as follows:

Idem

(2) Where a collective agreement is for a term of not more than three years, a trade union may, subject to section 46, apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement only after the commencement of the last two months of its operation.

R.S.O. 1960,  
c. 202, s. 5,  
subs. 3,  
amended

(3) Subsection 3 of the said section 5 is amended by striking out "two" in the second line and inserting in lieu thereof "three", by inserting after "may" in the second line "subject to section 46", by striking out "twenty-third" in the fifth line and inserting in lieu thereof "thirty-fifth" and by striking out "twenty-fifth" in the sixth line and inserting in lieu thereof "thirty-seventh", so that the subsection shall read as follows:

Idem

(3) Where a collective agreement is for a term of more than three years, a trade union may, subject to section 46, apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement only after the commencement of the thirty-fifth month of its operation and before the commencement of the thirty-seventh month of its operation and during the two-month period immediately preceding the end of each year that the agreement continues to operate thereafter or after the commencement of the last two months of its operation, as the case may be.

R.S.O. 1960,  
c. 202, s. 5,  
subs. 4,  
amended

(4) Subsection 4 of the said section 5 is amended by inserting after "may" in the sixth line "subject to section 46", so that the subsection shall read as follows:

Idem

(4) Where a collective agreement referred to in subsection 2 or 3 provides that it will continue to operate for a further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to the renewal, with or without modifications, of the agreement or to the making of a new agreement, a trade union may, subject to section 46, apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement during the further term or successive terms

only during the last two months of each year that it so continues to operate, or after the commencement of the last two months of its operation, as the case may be.

**3.** *The Labour Relations Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 202,  
amended

8a.—(1) Sections 5 to 10 and 90 and 92 apply *mutatis mutandis* to an application for certification by a council of trade unions, but, before the Board certifies such a council as bargaining agent for the employees of an employer in a bargaining unit, the Board shall satisfy itself that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. Certification  
of councils  
of trade  
unions

(2) Where the Board is of opinion that appropriate authority has not been vested in the applicant, the Board may postpone disposition of the application to enable the constituent unions to vest such additional or other authority as the Board deems necessary. Postpone-  
ment of  
disposition

(3) For the purposes of sections 7 and 8, a person who is a member of any constituent trade union of a council shall be deemed by the Board to be a member of the council. Member-  
ship

**4.** Section 14 of *The Labour Relations Act*, as re-enacted by section 2 of *The Labour Relations Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 202, s. 14  
(1964, c. 53,  
s. 2),  
re-enacted

14.—(1) Where the Minister is required or authorized to appoint a conciliation officer, the Minister may, on the request in writing of the parties, appoint a mediator selected by them jointly before he has appointed a conciliation board or has informed the parties that he does not deem it advisable to appoint a conciliation board. Appoint-  
ment of  
mediator

(2) Where the Minister has appointed a mediator after a conciliation officer has been appointed, the appointment of the conciliation officer is thereby terminated. Idem

**5.** Section 15 of *The Labour Relations Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 202, s. 15,  
amended



Report of  
settlement

- (3) Where the conciliation officer reports to the Minister that the differences between the parties concerning the terms of a collective agreement have been settled, the Minister shall forthwith by notice in writing inform the parties of the report.

R.S.O. 1960,  
c. 202, s. 21,  
amended

- 6.** Section 21 of *The Labour Relations Act* is amended by inserting after "oaths" in the third line "or before another member of the board", so that the section, exclusive of the form, shall read as follows:

Oath of  
office

21. Each member of a conciliation board shall, before entering upon his duties, take and subscribe before a person authorized to administer oaths or before another member of the board, and file with the Minister, an oath in the following form:

. . . . .

R.S.O. 1960,  
c. 202, s. 26,  
re-enacted

- 7.** Section 26 of *The Labour Relations Act* is repealed and the following substituted therefor:

Quorum

26. The chairman and one other member of a conciliation board or, in the absence of the chairman and with his written consent, the other two members constitute a quorum, but, in the absence of one of the members other than the chairman, the other members shall not proceed unless the absent member has been given reasonable notice of the sitting.

R.S.O. 1960,  
c. 202, s. 29,  
subs. 2,  
cls. a, b,  
re-enacted

- 8.** Clauses *a* and *b* of subsection 2 of section 29 of *The Labour Relations Act* are repealed and the following substituted therefor:

(a) for a further period not exceeding thirty days,

(i) by the Minister at the request of the chairman of the conciliation board, or

(ii) by agreement of the parties; or

(b) for such further period beyond the period fixed in clause *a* as the parties may agree upon and as the Minister may approve.

R.S.O. 1960,  
c. 202, s. 30,  
subs. 5,  
repealed

- 9.** Subsection 5 of section 30 of *The Labour Relations Act* is repealed.

R.S.O. 1960,  
c. 202, s. 34,  
amended

- 10.** Section 34 of *The Labour Relations Act*, as amended by section 3 of *The Labour Relations Amendment Act, 1964*, is further amended by adding thereto the following subsection:

- (5) Where the Minister has appointed an arbitrator or the chairman of a board of arbitration under subsection 4, each of the parties shall pay one-half the remuneration and expenses of the person appointed, and, where the Minister has appointed a member of a board of arbitration under subsection 4 on failure of one of the parties to make the appointment, that party shall pay the remuneration and expenses of the person appointed.

Payment of  
arbitrators

**11.** Section 35 of *The Labour Relations Act* is amended by adding thereto the following subsections:

R.S.O. 1960,  
c. 202, s. 35,  
amended

- (5) Notwithstanding anything in this Act, where the parties to a collective agreement have included in it any of the provisions permitted by subsection 1, any of such provisions may be continued in effect during the period when the parties are bargaining with a view to the renewal, with or without modifications, of such agreement or to the making of a new agreement.

Continua-  
tion of  
permissive  
provisions

- (6) Notwithstanding anything in this Act, where the parties to a collective agreement have included in it any of the provisions permitted by subsection 1 and the employer who was a party to or was bound by the agreement sells his business within the meaning of section 47a, any of such provisions as were included in the collective agreement may be continued in effect during the period when the person to whom the business was sold and the trade union that is the bargaining agent for his employees in the appropriate bargaining unit by reason of the sale bargain with a view to the making of a new agreement.

Idem

**12.—(1)** Section 38 of *The Labour Relations Act* is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 202, s. 38,  
amended

- (2a) A collective agreement between a certified council of trade unions and an employer is, subject to and for the purposes of this Act, binding upon each trade union that is a constituent union of such a council as if it had been made between each of such trade unions and the employer.

Binding  
effect of  
collective  
agreements  
on members  
of certified  
councils

(2) Subsection 3 of the said section 38 is amended by inserting after "unions" in the first line "other than a certified council of trade unions", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 202, s. 38,  
subs. 3,  
amended

Binding  
effect of  
collective  
agreements  
on members  
or affiliates  
of councils  
of trade  
unions

- (3) A collective agreement between a council of trade unions, other than a certified council of trade unions, and an employer or an employers' organization is, subject to and for the purposes of this Act, binding upon each trade union that was a member of or affiliated with the council of trade unions at the time the agreement was entered into and on whose behalf the council of trade unions bargained with the employer or employers' organization as if it was made between each of such trade unions and the employer or employers' organization, and, if any such trade union ceases to be a member of or affiliated with the council of trade unions during the term of operation of the agreement, it shall, for the remainder of the term of operation of the agreement, be deemed to be a party to a like agreement with the employer or employers' organization, as the case may be.

R.S.O. 1960,  
c. 202, s. 38,  
subs. 4,  
amended

- (3) Subsection 4 of the said section 38 is amended by inserting after "unions" in the first line "other than a certified council of trade unions", so that the subsection shall read as follows:

Duty to  
disclose

- (4) Where a council of trade unions, other than a certified council of trade unions, commences to bargain with an employer or an employers' organization, it shall deliver to the employer or employers' organization a list of the names of the trade unions on whose behalf it is bargaining and, in default of so doing, it shall be deemed to bargain for all members or affiliates of the council of trade unions for whose employees the respective trade unions are entitled to bargain and to make a collective agreement at that time with the employer or the employers' organization, except a trade union that, either by itself or through the council of trade unions, has notified the employer or employers' organization in writing before the agreement is entered into that it will not be bound by a collective agreement between the council of trade unions and the employer or employers' organization.

R.S.O. 1960,  
c. 202, s. 40,  
subs. 4,  
amended

- 13.** Subsection 4 of section 40 of *The Labour Relations Act* is amended by inserting after "unions" in the first line "other than a certified council of trade unions", so that the subsection shall read as follows:

Idem

- (4) Where notice is given by or to a council of trade unions, other than a certified council of trade unions, that has a collective agreement with an employer or

employers'

employers' organization, it shall be deemed to be a notice given by or to each member or affiliate of the council of trade unions that is bound by the agreement or that has ceased to be a member or affiliate of the council of trade unions but has not notified the employer or employers' organization in writing that it has ceased to be a member or affiliate.

**14.** *The Labour Relations Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 202,  
amended

41a.—(1) Where a certified council of trade unions is a party to or is bound by a collective agreement, no resolution, by-law or other action by the constituent unions of a certified council of trade unions to dissolve the council or by a constituent union of such a council to withdraw from the council, as the case may be, has effect, Dissolution  
of councils  
of certified  
trade unions

(a) unless a copy of such resolution, by-law or other action is delivered to the employer or the employers' organization and, in the case of a withdrawal, to the other constituent members and to the council at least ninety days before the collective agreement ceases to operate; and

(b) until the collective agreement ceases to operate.

(2) Where a certified council of trade unions is not a party to or is not bound by a collective agreement, no resolution, by-law or other action by the constituent unions of a certified council of trade unions to dissolve the council or by a constituent union of such a council to withdraw from the council, as the case may be, has effect until the ninetieth day after the day on which a copy of such resolution, by-law or other action is delivered to the employer or the employers' organization and, in the case of a withdrawal, to the other constituent members and to the council. Idem

(3) Where a resolution, by-law or other action to dissolve a certified council of trade unions or by a constituent union of such a council to withdraw from the council takes effect under subsection 1 or 2, the council and its constituent unions shall forthwith cease to represent the employees in the bargaining unit. Effect of  
dissolution  
or with-  
drawal

**15.** Section 42 of *The Labour Relations Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 202, s. 42,  
amended



Idem

- (2) If the trade union that applies for certification under subsection 1a of section 5 is certified as bargaining agent for any of the employees in the bargaining unit defined in the certificate issued to the trade union that was previously certified, the latter trade union forthwith ceases to represent the employees in the bargaining unit defined in the certificate issued to the former trade union.

R.S.O. 1960,  
c. 202, s. 43,  
subs. 1,  
amended

- 16.**—(1) Subsection 1 of section 43 of *The Labour Relations Act* is amended by inserting after “may” in the fourth line “subject to section 46”, so that the subsection shall read as follows:

Application  
for  
termination,  
no  
agreement

- (1) If a trade union does not make a collective agreement with the employer within one year after its certification, any of the employees in the bargaining unit determined in the certificate may, subject to section 46, apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit.

R.S.O. 1960,  
c. 202, s. 43,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 43 is amended by inserting after “may” in the second line “subject to section 46”, so that the subsection, exclusive of the clauses, shall read as follows:

Idem,  
agreement

- (2) Any of the employees in the bargaining unit defined in a collective agreement may, subject to section 46, apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit,

R.S.O. 1960,  
c. 202, s. 43,  
subs. 2,  
cl. a,  
amended

- (3) Clause *a* of subsection 2 of the said section 43 is amended by striking out “two” in the second line and inserting in lieu thereof “three”, so that the clause shall read as follows:

- (a) in the case of a collective agreement for a term of not more than three years, only after the commencement of the last two months of its operation.

R.S.O. 1960,  
c. 202, s. 43,  
subs. 2,  
cl. b,  
amended

- (4) Clause *b* of subsection 2 of the said section 43 is amended by striking out “two” in the second line and inserting in lieu thereof “three”, by striking out “twenty-third” in the third line and inserting in lieu thereof “thirty-fifth” and by striking out “twenty-fifth” in the fourth line and inserting in lieu thereof “thirty-seventh”, so that the clause shall read as follows:



- (b) in the case of a collective agreement for a term of more than three years, only after the commencement of the thirty-fifth month of its operation and before the commencement of the thirty-seventh month of its operation and during the two-month period immediately preceding the end of each year that the agreement continues to operate thereafter or after the commencement of the last two months of its operation, as the case may be.

**17.**—(1) Subsection 1 of section 46 of *The Labour Relations Act*, as amended by subsection 1 of section 6 of *The Labour Relations Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 202, s. 46,  
subs. 1,  
re-enacted

- (1) Subject to subsection 3, where a trade union has not made a collective agreement within one year after its certification and the Minister has appointed a conciliation officer or a mediator under this Act, no application for certification of a bargaining agent of, or for a declaration that a trade union no longer represents, the employees in the bargaining unit determined in the certificate shall be made until,

Application  
for  
certification  
or termina-  
tion after  
conciliation

- (a) thirty days have elapsed after the Minister has released to the parties the report of a conciliation board or mediator; or
- (b) thirty days have elapsed after the Minister has released to the parties a notice that he does not deem it advisable to appoint a conciliation board; or
- (c) six months have elapsed after the Minister has released to the parties a notice of a report of the conciliation officer that the differences between the parties concerning the terms of a collective agreement have been settled,

as the case may be.

- (2) The said section 46 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 202, s. 46,  
amended

- (3) Where a trade union has given notice under section 11 and the employees in the bargaining unit on whose behalf the trade union was certified as bargaining agent thereafter engage in a lawful strike or the employer lawfully locks out such employees, no application for certification of a bargaining agent of, or for a declaration that the trade union no longer represents, the employees in the bargaining unit determined in the certificate shall be made,

Application  
for  
certification  
or termina-  
tion during  
lawful strike

(a)

- (a) until six months have elapsed after the strike or lock-out commenced; or
- (b) until seven months have elapsed after the Minister has released to the parties the report of the conciliation board or mediator or a notice that the Minister does not deem it advisable to appoint a conciliation board,

whichever occurs first.

R.S.O. 1960,  
c. 202, s. 47*a*  
(1962-63,  
c. 70, s. 1),  
subs. 9,  
amended

**18.**—(1) Subsection 9 of section 47*a* of *The Labour Relations Act*, as enacted by section 1 of *The Labour Relations Amendment Act, 1962-63*, is amended by inserting after “43” in the first line “45”, so that the subsection shall read as follows:

Effect of  
notice or  
declaration

- (9) For the purposes of sections 5, 43, 45, 46 and 96, a notice given by a trade union under subsection 2 or a declaration made by the Board under subsection 5 has the same effect as a certification under section 7.

R.S.O. 1960,  
c. 202, s. 47*a*  
(1962-63,  
c. 70, s. 1),  
amended

(2) The said section 47*a* is amended by adding thereto the following subsection:

Successor  
municipalities

R.S.O. 1960,  
c. 98

- (10) Where one or more municipalities as defined in *The Department of Municipal Affairs Act* is erected into another municipality, or two or more such municipalities are amalgamated, united or otherwise joined together, or all or part of one such municipality is annexed, attached or added to another such municipality, the employees of the municipalities concerned are deemed to have been intermingled, and,

- (a) the Board may exercise the like powers as it may exercise under subsections 5 and 7 with respect to the sale of a business under this section;
- (b) the new or enlarged municipality has the like rights and obligations as a person to whom a business is sold under this section and who intermingles the employees of one of his businesses with those of another of his businesses; and
- (c) any trade union concerned has the like rights and obligations as it would have in the case of the intermingling of employees in two or more businesses under this section.

**19.** Section 52 of *The Labour Relations Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 202, s. 52,  
re-enacted

52. No person, trade union or employers' organization shall seek by intimidation or coercion to compel any person to become or refrain from becoming or to continue to be or to cease to be a member of a trade union or of an employers' organization or to refrain from exercising any other rights under this Act or from performing any obligations under this Act. Intimidation and coercion

**20.** Subsection 2 of section 54 of *The Labour Relations Act*, as amended by section 7 of *The Labour Relations Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 202, s. 54,  
subs. 2,  
re-enacted

- (2) Where no collective agreement is in operation, no employee shall strike and no employer shall lock out an employee until the Minister has appointed a conciliation officer or a mediator under this Act and, No agreement
- (a) seven days have elapsed after the Minister has released to the parties the report of a conciliation board or mediator; or
- (b) fourteen days have elapsed after the Minister has released to the parties a notice that he does not deem it advisable to appoint a conciliation board,

as the case may be.

**21.** *The Labour Relations Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 202,  
amended

- 58a. No trade union shall suspend, expel or penalize in any way a member because he has refused to engage in or to continue to engage in a strike that is unlawful under this Act. Refusal to engage in unlawful strike

**22.** Clause *a* of subsection 1 of section 59 of *The Labour Relations Act*, as amended by section 8 of *The Labour Relations Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 202, s. 59,  
subs. 1,  
cl. a,  
re-enacted

- (a) until the Minister has appointed a conciliation officer or a mediator under this Act and,
- (i) seven days have elapsed after the Minister has released to the parties the report of a conciliation board or mediator, or

(ii)

- (ii) fourteen days have elapsed after the Minister has released to the parties a notice that he does not deem it advisable to appoint a conciliation board,

as the case may be; or

. . . . .

R.S.O. 1960,  
c. 202, s. 61,  
re-enacted

**23.** Section 61 of *The Labour Relations Act* is repealed and the following substituted therefor:

Collective  
agreements  
to be filed

61. Each party to a collective agreement shall, forthwith after it is made, file one copy thereof with the Minister.

R.S.O. 1960,  
c. 202, s. 65,  
subs. 1,  
re-enacted

**24.**—(1) Subsection 1 of section 65 of *The Labour Relations Act*, as amended by subsection 1 of section 8 of *The Labour Relations Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Inquiry  
by field  
officer

- (1) The Board may authorize a field officer to inquire into a complaint that,

(a) a person has been refused employment, discharged, discriminated against, threatened, coerced, intimidated or otherwise dealt with contrary to this Act as to his employment, opportunity for employment or conditions of employment; or

(b) a person has been suspended, expelled or penalized in any way contrary to section 58a.

R.S.O. 1960,  
c. 202, s. 65,  
subs. 4  
(1961-62,  
c. 68, s. 8,  
subs. 2),  
re-enacted

(2) Subsection 4 of the said section 65, as re-enacted by subsection 2 of section 8 of *The Labour Relations Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Remedy for  
discrimina-  
tion

- (4) Where a field officer is unable to effect a settlement of the matter complained of or where the Board in its discretion deems it advisable to dispense with an inquiry by a field officer, the Board may inquire into the complaint and,

(a) if the Board is satisfied that the person concerned has been refused employment, discharged, discriminated against, threatened, coerced, intimidated or otherwise dealt with contrary to this Act as to his employment, opportunity for employment or conditions of

employment



employment by any employer or other person or a trade union, it shall determine what, if anything, the employer, other person or trade union shall do or refrain from doing with respect thereto, and such determination may include the hiring or reinstatement in employment of the person concerned, with or without compensation or compensation in lieu of hiring or reinstatement for loss of earnings and other employment benefits, and the employer, other person or trade union shall, notwithstanding the provisions of any collective agreement, do or abstain from doing anything required of them or any of them by the determination; or

- (b) if the Board is satisfied that the person concerned has been suspended, expelled or penalized in any way contrary to section 58a, it shall so declare, and thereupon the suspension, expulsion or penalty is void.

**25.** Section 66 of *The Labour Relations Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 202, s. 66,  
re-enacted

- 66.—(1) The Board may inquire into a complaint that a trade union or council of trade unions, or an officer, official or agent of a trade union or council of trade unions, was or is requiring an employer or an employers' organization to assign particular work to employees in a particular trade union or in a particular trade, craft or class rather than to employees in another trade union or in another trade, craft or class, or that an employer was or is assigning work to employees in a particular trade union rather than to employees in another trade union, and it shall direct what action, if any, the employer, the employers' organization, the trade union or the council of trade unions or any officer, official or agent of any of them or any employee shall do or refrain from doing with respect to the assignment of work.
- (2) Where a complaint is made under subsection 1 and the complainant alleges that a strike is imminent or is taking place by reason of the requirement as to the assignment of work or by reason of the assignment of work, the Board may, after consulting any employer, employers' organization, trade union or council of trade unions that in its opinion is con-

Jurisdic-  
tional  
disputes

Interim  
order  
in case  
of strike

cerned,



cerned, make such interim order with respect to the assignment of the work as it in its discretion deems proper.

Cease and  
desist  
directions

- (3) The Board may in an interim order or direction or at any time after the making of such interim order or direction direct any person, employee, employer, employers' organization, trade union or council of trade unions and their officers, officials or agents to cease and desist from doing anything intended or likely to interfere with the terms of an interim order or direction respecting the assignment of work.

Filing in  
S.C.O.

- (4) The Board shall file in the office of the Registrar of the Supreme Court a copy of an interim order or direction made under this section, exclusive of the reasons therefor, in the prescribed form, whereupon the interim order or direction shall be entered in the same way as a judgment or order of that Court.

Enforce-  
ment

- (5) After an interim order or a direction has been entered, it is enforceable by a person, employee, employer, employers' organization, trade union or council of trade unions affected as a judgment or order of the Supreme Court on the day next after the day fixed for compliance in the interim order or direction.

Withdrawal  
of complaint

- (6) A complaint made under this section may be withdrawn by the complainant only upon such terms and conditions as the Board may fix.

Postpone-  
ment of  
inquiry

- (7) Notwithstanding subsections 1 and 2, where a trade union or a council of trade unions and an employer or an employers' organization have made an arrangement to resolve any differences between them arising from the assignment of work, the Board may, upon such terms and conditions as it may fix, postpone inquiring into a complaint under this section until the difference has been dealt with in accordance with such arrangement.

Where no  
complaint  
may be  
made

- (8) No complaint under this section may be made by a trade union, council of trade unions, employer or employers' organization that has entered into a collective agreement that contains a provision requiring the reference of any difference between them arising out of work assignment to a tribunal mutually selected by them with respect to any difference as to work assignment that can be resolved under the collective agreement, and such trade union, council

of trade unions, employer or employers' organization shall do or abstain from doing anything required of it by the decision of such tribunal.

- (9) The Board may in its discretion, or at any time <sup>Alteration of bargaining unit</sup> following the release of its direction, alter the bargaining unit determined in a certificate or defined in a collective agreement as it deems proper, and the certificate or agreement, as the case may be, shall be deemed to have been altered accordingly.
- (10) The Board may, upon the application of any person, <sup>Idem</sup> employer, trade union, council of trade unions or employers' organization affected by a decision of a tribunal referred to in subsection 8, alter the bargaining unit determined in a certificate or defined in a collective agreement as it deems proper to enable the parties to conform to the decision of the tribunal, and the certificate or agreement, as the case may be, shall be deemed to have been altered accordingly.
- (11) Where the Board has made an interim order or a <sup>Interim orders and directions prevail</sup> direction under this section, the person, employer, employers' organization, trade union or council of trade unions and their officers, officials or agents affected by the interim order or the direction may comply with it notwithstanding any provision of this Act or of any collective agreement relating to the assignment of the work to which the interim order or the direction relates, and the person, employer, employers' organization, trade union or council of trade unions and their officers, officials or agents so complying shall be deemed not to have violated any provision of this Act or of any collective agreement.
- (12) Where an employer is a party to or is bound by two <sup>Alteration of description of bargaining unit in conflicting agreements</sup> or more collective agreements and it appears that the description of the bargaining unit in one of such agreements conflicts with the description of the bargaining unit in the other or another of such agreements, the Board may, upon the application of the employer or any of the trade unions concerned, alter the description of the bargaining units in any such agreement as it deems proper, and the agreement or agreements shall be deemed to have been altered accordingly.
- (13) Before disposing of an application under this section, <sup>Powers of Board before disposing of application</sup> the Board may make such inquiry, may require the

production

production of such evidence and the doing of such things, or may hold such representation votes, as it deems appropriate.

R.S.O. 1960,  
c. 202, s. 73,  
re-enacted

**26.** Section 73 of *The Labour Relations Act* is repealed and the following substituted therefor:

Proceedings  
in S.C.O.

73. Where a trade union, a council of trade unions or an unincorporated employers' organization is affected by a determination of the Board under section 65, an interim order or direction of the Board under section 66 or a decision of an arbitrator or arbitration board, proceedings to enforce the determination, interim order, direction or decision may be instituted in the Supreme Court by or against such union, council or organization in the name of the union, council or organization, as the case may be.

R.S.O. 1960,  
c. 202, s. 74,  
subs. 2,  
re-enacted

**27.** Subsection 2 of section 74 of *The Labour Relations Act* is repealed and the following substituted therefor:

Information

(2) An application for consent to institute a prosecution for an offence under this Act may be made *inter alia* by a trade union, a council of trade unions, a corporation or an employers' organization, and, if the consent is given by the Board, the information may be laid *inter alia* by any officer, official or member of the trade union, council of trade unions, corporation or employers' organization.

R.S.O. 1960,  
c. 202, s. 75,  
subs. 2,  
amended

**28.—**(1) Subsection 2 of section 75 of *The Labour Relations Act* is amended by striking out "a vice-chairman and one or more deputy vice-chairmen" in the first and second lines and inserting in lieu thereof "one or more vice-chairmen", so that the subsection shall read as follows:

composition  
and appoint-  
ment

(2) The Board shall be composed of a chairman, one or more vice-chairmen and as many members equal in number representative of employers and employees respectively as the Lieutenant Governor in Council deems proper, all of whom shall be appointed by the Lieutenant Governor in Council.

R.S.O. 1960,  
c. 202, s. 75,  
amended

(2) The said section 75 is amended by adding thereto the following subsection:

alternate  
chairman

(2a) The Lieutenant Governor in Council shall designate one of the vice-chairmen to be the alternate chairman.

(3) Subsection 3 of the said section 75 is amended by striking out "vice-chairman" in the second line and inserting in lieu thereof "alternate chairman", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 202, s. 75,  
subs. 3,  
amended

- (3) The chairman or, in the case of his absence from the office of the Board or his inability to act, the alternate chairman shall from time to time assign the members of the Board to its various divisions and may change any such assignment at any time.

divisions

(4) Subsection 5 of the said section 75 is amended by striking out "member (or chairman, or vice-chairman, or deputy vice-chairman)" in the third and fourth lines of the form of oath and inserting in lieu thereof "chairman (or vice-chairman or member)", so that the form of oath of the subsection shall read as follows:

R.S.O. 1960,  
c. 202, s. 75,  
subs. 5,  
amended

I do solemnly swear that I will faithfully, truly and impartially, to the best of my judgment, skill and ability, execute and perform the office of chairman (or vice-chairman or member) of the Ontario Labour Relations Board and I will not, except in the discharge of my duties, disclose to any person any of the evidence or any other matter brought before the Board. So help me God.

(5) Subsection 6 of the said section 75 is amended by striking out "the vice-chairman or a deputy vice-chairman" in the first and second lines and inserting in lieu thereof "a vice-chairman", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 202, s. 75,  
subs. 6,  
amended

- (6) The chairman or a vice-chairman, one member representative of employers and one member representative of employees constitute a quorum and are sufficient for the exercise of all of the jurisdiction and powers of the Board.

quorum

**29.** Section 76 of *The Labour Relations Act*, as amended by section 11 of *The Labour Relations Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,  
c. 202, s. 77,  
repealed

**30.**—(1) Clause *d* of subsection 2 of section 77 of *The Labour Relations Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 202, s. 77,  
subs. 2,  
cl. *d*,  
re-enacted

- (*d*) to require persons or trade unions, whether or not they are parties to proceedings before the Board, to post and to keep posted upon their premises in a conspicuous place or places, where they are most likely to come to the attention of all persons concerned, any notices that the Board deems necessary to bring to the attention of such persons in connection with any proceedings before the Board.



R.S.O. 1960,  
c. 202, s. 77,  
subs. 2,  
cl. e,  
amended

(2) Clause *e* of subsection 2 of the said section 77, as amended by subsection 1 of section 12 of *The Labour Relations Amendment Act, 1961-62*, is further amended by inserting after "business" in the third line "whether or not the premises are those of the employer", so that the clause shall read as follows:

- (e) to enter any premises where work is being or has been done by the employees or in which the employer carries on business, whether or not the premises are those of the employer, and inspect and view any work, material, machinery, appliance or article therein, and interrogate any person respecting any matter and post therein any notice referred to in clause *d*.

R.S.O. 1960,  
c. 202, s. 77,  
subs. 2,  
cl. h  
(1961-62,  
c. 68, s. 12,  
subs. 2),  
amended

(3) Clause *h* of subsection 2 of the said section 77, as re-enacted by subsection 2 of section 12 of *The Labour Relations Amendment Act, 1961-62*, is amended by striking out "the vice-chairman or a deputy vice-chairman" in the first and second lines and inserting in lieu thereof "or a vice-chairman", so that the clause shall read as follows:

- (h) to authorize the chairman or a vice-chairman to inquire into any application, request, complaint, matter or thing within the jurisdiction of the Board, or any part of any of them, and to report to the Board thereon.

R.S.O. 1960,  
c. 202,  
amended

**31.** *The Labour Relations Act* is amended by adding thereto the following section:

Proof of  
status of  
trade union

- 78a. Where in any proceeding under this Act the Board has found or finds that an organization of employees is a trade union within the meaning of clause *j* of subsection 1 of section 1, such finding is *prima facie* evidence in any subsequent proceeding under this Act that the organization of employees is a trade union for the purposes of this Act.

R.S.O. 1960,  
c. 202, s. 79,  
subs. 3  
(1961-62,  
c. 68, s. 13,  
subs. 2),  
amended

**32.** Subsection 3 of section 79 of *The Labour Relations Act*, as enacted by subsection 2 of section 13 of *The Labour Relations Amendment Act, 1961-62*, is amended by striking out "the vice-chairman or a deputy vice-chairman" in the first and second lines and inserting in lieu thereof "or a vice-chairman", so that the subsection shall read as follows:

Findings  
conclusive

- (3) Where the Board has authorized the chairman or a vice-chairman to make an inquiry under clause *h* of subsection 2 of section 77, his findings and con-



clusions on facts are final and conclusive for all purposes, but nevertheless he may, if he considers it advisable to do so, reconsider his findings and conclusions on facts and vary or revoke any such finding or conclusion.

**33.** Section 79a of *The Labour Relations Act*, as enacted by section 10 of *The Labour Relations Amendment Act, 1964*, is amended by adding thereto the following subsection: R.S.O. 1960, c. 202, s. 79a (1964, c. 53, s. 10), amended

- (2) Where a question referred under subsection 1 involves an issue as to whether one trade union is the successor of another trade union or whether a business has been sold by one employer to another or where such question involves an issue under subsection 10 of section 47a, the Board has the same powers and authority as it has under section 47 or 47a, as the case may be, as if an application had been made thereunder, and the Board may issue such directions as to the conduct of the proceedings as it deems advisable. Idem

**34.** Section 82 of *The Labour Relations Act* is amended by striking out "an arbitration board or a jurisdictional disputes commission" in the fourth and fifth lines and inserting in lieu thereof "or an arbitration board" and by striking out "the chairman of the arbitration board or a member of the jurisdictional disputes commission" in the eighth and ninth lines and inserting in lieu thereof "or the chairman of the arbitration board", so that the section shall read as follows: R.S.O. 1960, c. 202, s. 82, amended

82. The production in a court of a document purporting to be or to contain a copy of a decision, determination, report, interim order, order, direction, declaration or ruling of the Board, a conciliation board, a mediator, an arbitrator or an arbitration board and purporting to be signed by a member of the Board or its registrar, the chairman of the conciliation board, the mediator, the arbitrator or the chairman of the arbitration board, as the case may be, is *prima facie* proof of such document without proof of the appointment, authority or signature of the person who signed the document. Documentary evidence

**35.** Subsection 3 of section 85 of *The Labour Relations Act*, as amended by section 15 of *The Labour Relations Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960, c. 202, s. 85, subs. 3, re-enacted

Time of  
release of  
documents

- (3) A decision, determination, report, interim order, order, direction, declaration or ruling of the Board, a notice from the Minister that he does not deem it advisable to appoint a conciliation board, a notice from the Minister of a report of a conciliation officer, a report of a conciliation board or of a mediator, or a decision of an arbitrator or of an arbitration board,

(a) if sent by mail to the person, employers' organization, trade union or council of trade unions concerned addressed to him or it at his or its last-known address, shall be deemed to have been released on the second day after the day on which it was so mailed; or

(b) if delivered to a person, employers' organization, trade union or council of trade unions concerned at his or its last-known address, shall be deemed to have been released on the day next after the day on which it was so delivered.

Failure  
to receive  
documents  
a defence

- (4) Proof by a person, employers' organization, trade union or council of trade unions of failure to receive a determination under section 65 or an interim order or direction under section 66 or a decision of an arbitrator or of an arbitration board sent by mail to such person, employers' organization, trade union or council of trade unions addressed to him or it at his or its last-known address is a defence by such person, employers' organization, trade union or council of trade unions to an application for consent to institute a prosecution or to any proceedings to enforce as a judgment or order of the Supreme Court such determination, interim order, direction or decision.

Second  
notice of  
desire to  
bargain

- (5) Where a notice has been given under section 40 by registered mail and the addressee claims that he or it has not received the notice, the person, employers' organization, trade union or council of trade unions that gave the notice may give a second notice to the addressee forthwith after he or it ascertains that the first notice had not been received, but in no case may the second notice be given more than three months after the day on which the first notice was

mailed,

mailed, and the second notice has the same force and effect for the purposes of this Act as the first notice would have had if it had been received by the addressee.

**36.**—(1) Clause *b* of section 88 of *The Labour Relations Act* is amended by adding at the end thereof “and mediators”, so that the clause shall read as follows:

R.S.O. 1960,  
c. 202, s. 88,  
cl. *b*,  
amended

- (*b*) providing for and fixing the remuneration and expenses of chairmen and other members of conciliation boards and mediators.

(2) Clause *c* of the said section 88 is repealed.

R.S.O. 1960,  
c. 202, s. 88,  
cl. *c*,  
repealed

**37.** Section 89 of *The Labour Relations Act* is repealed.

R.S.O. 1960,  
c. 202, s. 89,  
repealed

**38.** Section 91 of *The Labour Relations Act*, as enacted by section 16 of *The Labour Relations Amendment Act, 1961-62*, is amended by striking out “89” in the third line and inserting in lieu thereof “43 and 47 to 88”, so that the section shall read as follows:

R.S.O. 1960,  
c. 202, s. 91  
(1961-62,  
c. 68, s. 16),  
amended

91. Where there is conflict between any provision in sections 92 to 96 and any provision in sections 5 to 43 and 47 to 88, the provisions in sections 92 to 96 prevail.

Conflict

**39.**—(1) Subsection 4 of section 93 of *The Labour Relations Act*, as enacted by section 16 of *The Labour Relations Amendment Act, 1961-62*, is amended by striking out “Where the Board has granted a request for conciliation services” in the first and second lines and inserting in lieu thereof “Where the Minister has appointed a conciliation officer”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 202, s. 93  
(1961-62,  
c. 68, s. 16),  
subs. 4,  
amended

- (4) Where the Minister has appointed a conciliation officer under subsection 2 and the conciliation officer is unable to effect a collective agreement within the time allowed, the Minister shall, unless the parties inform him in writing that they desire him to appoint a conciliation board, forthwith by notice in writing inform each of the parties that he does not deem it advisable to appoint a conciliation board.

Appoint-  
ment of  
conciliation  
board

(2) Subsection 5 of the said section 93 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 202, s. 93  
(1961-62,  
c. 68, s. 16),  
subs. 5,  
re-enacted

When  
report to  
be made

(5) Where a conciliation board has been appointed under subsection 4, it shall report its findings and recommendations to the Minister within fourteen days after its first sitting, but such period may be extended,

(a) for a further period not exceeding thirty days by agreement of the parties; or

(b) for such further period beyond the period fixed in clause *a* as the parties may agree upon and as the Minister may approve.

Proceedings  
pending  
under  
R.S.O. 1960,  
c. 202, s. 66

**40.** Proceedings that are pending under section 66 of *The Labour Relations Act* on the day this Act comes into force shall be continued and disposed of as if this Act had not been passed.

Commence-  
ment

**41.**—(1) This Act, except sections 1 to 36 and 38 to 40, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1 to 36 and 38 to 40 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**42.** This Act may be cited as *The Labour Relations Amendment Act, 1966*.



## CHAPTER 77

## An Act to amend The Land Titles Act

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *i* of section 1 of *The Land Titles Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 204, s. 1,  
cl. i,  
re-enacted

- (i) "proper master of titles" means the master of titles in whose office the land affected or intended to be affected by any proceeding, instrument or document is or may be registered.

2. Subsection 1 of section 2 of *The Land Titles Act*, as re-enacted by section 2 of *The Land Titles Amendment Act, 1961-62*, is amended by adding thereto the following clauses:

R.S.O. 1960,  
c. 204, s. 2  
(1961-62,  
c. 70, s. 2),  
subs. 1,  
amended

- (i) the County of Welland, including every local municipality in the County;
- (j) the County of Essex, including every local municipality in the County;
- (k) the County of Oxford, including every local municipality in the County;
- (l) the County of Wentworth, including every local municipality in the County.

3. Section 4 and section 5, as amended by section 3 of *The Land Titles Amendment Act, 1961-62*, of *The Land Titles Act* are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 204,  
ss. 4, 5,  
re-enacted

- 4.—(1) Where the operation of this Act is extended under section 3 to a county or to a part of a county comprising one registry division, the registrar is *ex officio* the first master of titles for the county or registry division, as the case may be.

First  
master of  
titles where  
operation  
of Act  
extended



Idem

- (2) Where the operation of this Act is extended to a county that comprises more than one registry division, unless the Lieutenant Governor in Council names one of the registrars as first master of titles for the county, each registrar is *ex officio* the first master of titles for his registry division.

Appoint-  
ment of  
masters

5. Notwithstanding section 4, the Lieutenant Governor in Council may appoint a master of titles for any locality in which this Act is in force, to be styled the "Master of Titles" for the county, city, town or district, or as the case may be, as designated by the Lieutenant Governor in Council.

Operation  
of land  
titles  
offices

- 5a.—(1) Subject to subsection 2 of section 4 and except as provided by subsections 2 and 3, every land titles office shall be operated as a part of the registry office for the registry division to which this Act has been extended.

Land titles  
office for  
County of  
York

- (2) The land titles office for the County of York, including every local municipality in the County and The Municipality of Metropolitan Toronto, shall continue to be operated in Toronto as a separate office.

Land titles  
office for  
County of  
Carleton

- (3) The land titles office for the County of Carleton, including every local municipality in the County, shall continue to be operated in conjunction with the local offices of the court in Ottawa until such time as the Lieutenant Governor in Council otherwise orders.

Fees,  
land titles  
office at  
Toronto

- 5b.—(1) The master of titles at Toronto shall pay to the Treasurer of Ontario all fees received under this Act, after payment of such disbursements as have been authorized by the Inspector.

Fees,  
registry  
offices in  
Toronto

- (2) The registrar for the Registry Division of the East and West Ridings of the County of York and the registrar for the Registry Division of Toronto shall pay to the Treasurer of Ontario all fees received under *The Registry Act* and under *The Partnerships Registration Act*, after payment of salaries and employment benefits and of such disbursements as are authorized by the Inspector.

R.S.O. 1960,  
cc. 348, 289Treasurer  
to pay  
surplus to  
Metro-  
politan  
Toronto

- (3) After deducting from the moneys received under subsections 1 and 2 the amount of the salaries of the master of titles at Toronto and his staff, their employment benefits and all other expenditures made

by Ontario incidental to the land titles office at Toronto, the Treasurer of Ontario shall pay the residue to The Municipality of Metropolitan Toronto.

- (4) The part of any residue payable under subsection 3 of *The Land Titles Act*, as amended by subsection 1 of section 5 of *The Land Titles Amendment Act, 1961-62*, is attributable, Apportionment of revenue

(a) to the registry office for the Registry Division of the East and West Ridings of the County of York; and

(b) to the land titles office at Toronto,

shall be apportioned between the County of York and The Municipality of Metropolitan Toronto in accordance with subsection 2 or 3 of section 113 of *The Registry Act*, and The Municipality of Metropolitan Toronto shall pay over to the treasurer of the County of York the share of the residue to which the County is entitled. R.S.O. 1960, c. 348

- (5) Except as provided by subsection 6, section 112 of *The Registry Act* applies to the remuneration of a master of titles who is also a registrar. Remuneration of master who is also registrar

- (6) The salaries of the master of titles at Toronto and of the masters of titles in the provisional judicial districts and of their deputies and other employees shall be fixed under *The Public Service Act, 1961-62* and paid by the Province of Ontario. Salaries, Toronto and districts 1961-62, c. 121

4. Subsection 2 of section 8 of *The Land Titles Act*, as re-enacted by subsection 1 of section 5 of *The Land Titles Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 204, s. 8, subs. 2 (1961-62, c. 70, s. 5, subs. 1), repealed

5. Section 9 of *The Land Titles Act*, as amended by section 6 of *The Land Titles Amendment Act, 1961-62* and section 1 of *The Land Titles Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960, c. 204, s. 9, re-enacted

- 9.—(1) The master of titles at Toronto shall be a barrister or solicitor. Master of titles at Toronto
- (2) The Lieutenant Governor in Council may appoint a senior deputy of the master of titles at Toronto, and the person so appointed shall act under the supervision of the master of titles or shall act as master of titles in the absence of the master of titles, and, when acting in the absence of the master of titles, the senior deputy master of titles has and may exercise and perform the powers and duties of the master of titles. Senior deputy at Toronto

Deputy at  
Toronto

- (3) The Lieutenant Governor in Council may appoint a deputy of the master of titles at Toronto, and the person so appointed shall act under the supervision of the master of titles or the senior deputy master of titles or shall act as master of titles in the absence of the master of titles and the senior deputy master of titles, and, when acting in the absence of the master of titles and the senior deputy master of titles, he has all the powers of the master of titles.

Death or  
resignation

- (4) When the master of titles at Toronto dies or resigns, his senior deputy master of titles shall act as master of titles until a master of titles is appointed.

R.S.O. 1960,  
c. 204, s. 10,  
subs. 1,  
re-enacted

**6.** Subsection 1 of section 10 of *The Land Titles Act* is repealed and the following substituted therefor:

Appoint-  
ment  
of deputy  
of master  
of titles

- (1) In the case of the illness or absence of a master of titles or for any other cause, the Lieutenant Governor in Council may appoint a person to act as the deputy *pro tempore* of the master of titles, and such deputy, while so acting, has all the powers of the master of titles for whom he is appointed deputy.

R.S.O. 1960,  
c. 204, s. 10a  
(1961-62,  
c. 70, s. 7),  
re-enacted

**7.** Section 10a of *The Land Titles Act*, as enacted by section 7 of *The Land Titles Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Appoint-  
ment of  
deputy of  
master of  
titles

- 10a.—(1) The Lieutenant Governor in Council may appoint one or more deputies of a master of titles who shall act under the supervision of the master of titles, and the deputy or, where more than one deputy has been appointed, the deputy who is senior in appointment shall act as master of titles in the absence of the master of titles, and, when so acting, a deputy has and may exercise and perform the powers and duties of the master of titles.

Death or  
resignation  
of master  
of titles

- (2) When a master of titles dies or resigns, the deputy or, where more than one deputy has been appointed, the deputy who is senior in appointment shall act as master of titles until a master of titles is appointed.

Saving

- (3) This section does not apply to the office of land titles at Toronto.

R.S.O. 1960,  
c. 204,  
ss. 12, 13,  
repealed

**8.** Section 12, as amended by section 8 of *The Land Titles Amendment Act, 1961-62*, and section 13 of *The Land Titles Act* are repealed.

R.S.O. 1960,  
c. 204, s. 14,  
re-enacted

**9.** Section 14 of *The Land Titles Act* is repealed and the following substituted therefor:

14. Before the director of titles or a master of titles enters upon the duties of his office, he shall furnish security in accordance with *The Public Officers Act*. Security  
R.S.O. 1960,  
c. 326
10. Subsection 2 of section 16 of *The Land Titles Act* is repealed. R.S.O. 1960,  
c. 204, s. 16,  
subs. 2,  
repealed
11. Section 20 of *The Land Titles Act* is repealed. R.S.O. 1960,  
c. 204, s. 20,  
repealed
12. Section 29 of *The Land Titles Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 204, s. 29,  
re-enacted
29. Except as provided by subsection 3 of section 162, an appeal lies from any act, order or decision of the Inspector, the director of titles or a master of titles under this Act to the local judge of the court and from him to the Court of Appeal. Right to  
appeal
- 29a. An appeal from any act, order or decision of the Inspector, the director of titles or a master of titles under this Act shall be by way of trial *de novo*. Manner  
of appeal
13. Subsection 8 of section 34 of *The Land Titles Act*, as enacted by subsection 2 of section 11 of *The Land Titles Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 204, s. 34,  
subs. 8  
(1961-62,  
c. 70, s. 11,  
subs. 2),  
re-enacted
- (8) Notwithstanding section 11 of *The Sheriff's Act* or the rules under *The Judicature Act*, the Inspector may determine the fee payable to a sheriff for a certificate as to executions in connection with an application under this section. Fee for  
certificate  
as to  
executions  
R.S.O. 1960,  
cc. 371, 197
- 14.—(1) Subsection 3 of section 35 of *The Land Titles Act* is amended by striking out "local" in the eighth line. R.S.O. 1960,  
c. 204, s. 35,  
subs. 3,  
amended
- (2) Subsection 4 of the said section 35 is amended by striking out "local" in the second line. R.S.O. 1960,  
c. 204, s. 35,  
subs. 4,  
amended
- (3) Subsection 5 of the said section 35 is amended by striking out "local" in the second line. R.S.O. 1960,  
c. 204, s. 35,  
subs. 5,  
amended
15. Section 60 of *The Land Titles Act*, as amended by section 17 of *The Land Titles Amendment Act, 1961-62*, is further amended by striking out, R.S.O. 1960,  
c. 204, s. 60,  
amended
- (a) subsections 2, 3 and 4;
- (b) subsection 5, as amended by subsection 2 of section 17 of *The Land Titles Amendment Act, 1961-62*;
- (c) subsection 6;
- (d) subsection 7, as re-enacted by subsection 3 of section 17 of *The Land Titles Amendment Act, 1961-62*;



(e) subsections 8, 9, 10 and 11; and

(f) subsection 12, as enacted by subsection 4 of section 17 of *The Land Titles Amendment Act, 1961-62*,

and substituting therefor the following:

Where  
Assurance  
Fund is  
less than  
\$1,000,000

(2) Where, on the 31st day of January in any year, the amount standing to the credit of the Assurance Fund is less than \$1,000,000, the Assurance Fund shall be increased by payment into it of a portion of all fees received under this Act during that calendar year, excluding fees paid to the director of titles.

Idem

(3) The portion of fees referred to in subsection 2 shall be fixed by the Lieutenant Governor in Council before the 1st day of March in the same year and shall not exceed 10 per cent of the fees.

Money to  
be paid  
into court

(4) Moneys payable under subsection 2 shall be paid into court, with the privity of the Accountant of the Supreme Court, by the masters of titles on or before the 31st day of January in each year in respect of fees received by them during the previous calendar year.

Land Titles  
Assurance  
Fund  
Account

(5) Subject to subsection 6, money standing to the credit of the Assurance Fund and payments received under subsection 4 shall be credited to The Land Titles Assurance Fund Account and shall be invested from time to time under the direction of the Finance Committee of the Supreme Court, and, subject to subsection 1 of section 62, the interest and income derived therefrom shall be credited to the same account.

Payment to  
Treasurer  
of Ontario

(6) The moneys in court at the credit of the Assurance Fund shall on his demand be paid to the Treasurer of Ontario.

Treasurer  
to issue  
stock for  
sums  
received  
from  
Assurance  
Fund

(7) The Treasurer of Ontario, on receipt of the moneys paid to him under subsection 6, shall issue to the Accountant of the Supreme Court in trust Ontario Government stock to an amount equal to the sum so received, and the stock shall represent the Assurance Fund and be available for the same purposes.

Conditions  
of issue

(8) The stock shall be paid or may be redeemed at such time and shall be subject to such conditions as to inscription, registration and transfer as the Lieutenant Governor in Council deems advisable, and shall bear interest at the rate of  $2\frac{1}{2}$  per cent per annum.



- (9) The stock, together with the interest thereon, shall be charged upon and paid out of the Consolidated Revenue Fund. Charge on Consolidated Revenue Fund

**16.**—(1) Section 61 and section 62, as amended by sub-section 1 of section 18 of *The Land Titles Amendment Act, 1961-62*, of *The Land Titles Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 204, ss. 61, 62, re-enacted

61. The proper master of titles may require any applicant for registration to indemnify The Land Titles Assurance Fund against loss by a bond or covenant to Her Majesty, either with or without sureties, or by such other security as he considers expedient. Indemnification of Assurance Fund

- 62.—(1) Where the amount of The Land Titles Assurance Fund exceeds \$500,000 at the beginning of a calendar year, the Accountant of the Supreme Court shall, at the beginning of the following year, transfer to a special account, to be maintained by him and entitled "The Land Titles Survey Fund", the amount of interest and income that was credited to The Land Titles Assurance Fund during the calendar year first mentioned. Land Titles Survey Fund

- (2) An application may be made to the director of titles by, Payment out of Land Titles Survey Fund

- (a) a registered owner in respect of the costs of a survey of his land;
- (b) an applicant for first registration in respect of the costs of a survey of his land; or
- (c) the council of a municipality in respect of the costs of a survey authorized by such council of an area of registered land in the municipality or in respect of the costs of and incidental to an application under section 34,

for financial assistance, and the Attorney General upon the recommendation of the director of titles may direct in writing that all or a part of the costs mentioned in the application be paid out of The Land Titles Survey Fund.

- (3) Upon receipt of the direction of the Attorney General, Idem the Accountant of the Supreme Court shall pay to the person or municipality named in the direction such sum or sums, at such time or times as are stipulated in the direction, out of The Land Titles Survey Fund, so far as that Fund is sufficient for the purpose.

Initial  
payment  
into Fund  
R.S.O. 1960,  
c. 204  
1961-62,  
c. 70

(2) When this section comes into force, the amount of interest received by the Treasurer of Ontario under subsection 5 of section 62 of *The Land Titles Act*, as enacted by subsection 1 of section 18 of *The Land Titles Amendment Act, 1961-62*, in respect of the preceding calendar year, shall be paid out of the Consolidated Revenue Fund to the Accountant of the Supreme Court to be credited to The Land Titles Survey Fund.

R.S.O. 1960,  
c. 204, s. 63,  
subss. 4, 5,  
re-enacted

**17.** Subsections 4 and 5 of section 63 of *The Land Titles Act* are repealed and the following substituted therefor:

Application  
for com-  
pensation  
from  
Assurance  
Fund

(4) A person claiming to be entitled to payment of compensation out of The Land Titles Assurance Fund shall apply to the director of titles who shall make a recommendation to the Inspector as to the amount, if any, that should be paid.

How com-  
pensation  
to be  
determined

(5) The liability of the Assurance Fund for compensation and the amount of compensation shall be determined by the Inspector, and the costs of the proceedings are in the discretion of the Inspector.

Claimant  
to be  
notified

(5a) The Inspector shall serve notice of his determination under subsection 5 by registered mail on the claimant.

Appeal

(5b) Where the Inspector determines that compensation should be paid, the claimant, if he intends to appeal, shall, within a period of twenty days after the date of mailing of the notice under subsection 5a, serve on the Inspector notice of his intention to appeal under section 29, and the Inspector shall not certify under subsection 5c the amount to the Treasurer of Ontario if a notice of appeal is received within that period or until after the expiry of that period if no notice of appeal is received.

Payment  
out of  
Assurance  
Fund

(5c) Subject to subsection 5b, the Inspector shall certify to the Treasurer of Ontario any amount found to be payable under this section, and, upon receipt of the Inspector's certificate, the Treasurer shall pay the amount to the person entitled thereto out of the Consolidated Revenue Fund, and the sums so paid out shall be credited as payments on account of the stock in the hands of the Accountant of the Supreme Court, and the amount of the stock shall be reduced accordingly.

Where com-  
pensation  
exceeds  
\$5,000

(5d) Where the amount of compensation has been determined by the Inspector and exceeds \$5,000, the payment by the Treasurer of Ontario shall not be made unless the Inspector's certificate is confirmed by a fiat of a judge of the High Court.

**18.** Section 64 of *The Land Titles Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 204, s. 64,  
re-enacted

64.—(1) Where a person makes a claim upon The Land Titles Assurance Fund for compensation in respect of land patented as mining land or in respect of land the chief value of which consists in the ores, mines or minerals therein and it appears that he is entitled to recover in respect of the land or of some interest therein, in determining the amount of compensation to be paid to him, the entire value of the land shall not be taken at a greater sum than twice the amount that was paid for the original grant from the Crown. Valuation  
of mining  
lands

(2) Where the amount that was paid for the original grant from the Crown was paid in respect of other land in addition to that for which a claim is so made without it appearing what amount was paid in respect of the particular parcel of land with reference to which the claim is made, the amount so paid, or the portion thereof as to which the fact may not appear to be otherwise, shall be deemed to have been paid *pro rata* in accordance with the acreage or other superficial content of the whole parcel or of the various parcels in respect of which the amount was paid. Apportion-  
ment  
*pro rata*

**19.** Section 79 of *The Land Titles Act* is amended by striking out “local” in the third line and in the seventh line. R.S.O. 1960,  
c. 204, s. 79,  
amended

**20.** Section 97 of *The Land Titles Act*, as amended by section 28 of *The Land Titles Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 204, s. 97,  
re-enacted

97.—(1) Subject to *The Mortgages Act*, the registered owner of a registered charge that contains a power of sale, upon production of evidence satisfactory to the master of titles, may sell and transfer the interest in the land or any part thereof that is the subject of the charge in accordance with the terms of the power in the same manner as if he were the registered owner of the land to the extent of such interest therein. Remedy of  
owner of  
charge with  
power of  
sale  
R.S.O. 1960,  
c. 245

(2) Upon the registration of a transfer under subsection 1 and upon satisfactory evidence being produced, the master of titles may delete from the register the entry of an instrument or writ appearing to rank subsequent to the charge under which the land is

sold,



sold, and thereupon the interest of every person claiming under such subsequent instrument or writ ceases to affect the land.

R.S.O. 1960,  
c. 204, s. 109,  
subs. 1,  
re-enacted

**21.**—(1) Subsection 1 of section 109 of *The Land Titles Act* is repealed and the following substituted therefor:

Lessee may  
apply for  
registration  
of notice  
of lease

- (1) A lessee or other person entitled to or interested in a lease or agreement for a lease of registered land may apply to the proper master of titles to register notice of the lease or agreement in the prescribed manner.

R.S.O. 1960,  
c. 204, s. 109,  
subs. 3,  
re-enacted

(2) Subsection 3 of the said section 109 is repealed and the following substituted therefor:

Lease not by  
registered  
owner

- (3) Where the lease or agreement for a lease is not by the registered owner but his title appears to be subject thereto, the proper master of titles, with the concurrence of the owner, may enter notice of the lease or agreement on the register.

R.S.O. 1960,  
c. 204, s. 162,  
subs. 1a  
(1961-62,  
c. 70, s. 43),  
cls. a, b,  
re-enacted;  
cls. c, d,  
repealed

**22.**—(1) Clauses *a, b, c* and *d* of subsection 1a of section 162 of *The Land Titles Act*, as enacted by section 43 of *The Land Titles Amendment Act, 1961-62*, are repealed and the following substituted therefor:

- (a) by a judge of the county or district court of the county or district in which the land shown on the plan is situate; or

- (b) by the director of titles.

R.S.O. 1960,  
c. 204, s. 162,  
subs. 3,  
re-enacted

(2) Subsection 3 of the said section 162 is repealed and the following substituted therefor:

Appeal

- (3) An appeal lies from any decision made under this section to a judge of the High Court and from him to the Court of Appeal.

R.S.O. 1960,  
c. 204,  
amended

**23.** *The Land Titles Act* is amended by adding thereto the following section:

Registration  
of amended  
plan

- 162a. Where an amendment to a plan under section 154c or 162 alters the size or boundaries of any lot or block, or adds to a plan land that was previously not included therein, the amendment does not take effect until a new plan of subdivision showing the amendments is registered with the amending order, and the provisions of this Act that apply to plans of

subdivision and the provisions of *The Planning Act* R.S.O. 1960,  
respecting the approval of plans of subdivision apply c. 296  
to the amended plan.

**24.** Clause *e* of subsection 1 of section 172 of *The Land Titles Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 204, s. 172,  
subs. 1, cl. *e*,  
re-enacted

- (*e*) the duties that are to be performed by the director of titles, the masters of titles and other officers, and the duties of the director of titles and of the masters of titles that may be performed by other officers.

**25.** Sections 173 and 174 of *The Land Titles Act* are repealed. R.S.O. 1960,  
c. 204,  
ss. 173, 174,  
repealed

**26.** Subsections 2, 3 and 4 of section 175 of *The Land Titles Act*, as re-enacted by section 45 of *The Land Titles Amendment Act, 1961-62*, are repealed and the following substituted therefor: R.S.O. 1960,  
c. 204, s. 175  
(1961-62,  
c. 70, s. 45),  
subs. 2,  
re-enacted;  
subss. 3, 4,  
repealed

- (2) Upon receipt of a request in writing and the prescribed fees, the proper master of titles, Production  
of instru-  
ments, etc.,  
copies

- (*a*) shall produce for inspection in his office during office hours any instrument registered in his office or any book of the office relating to such instrument; and

- (*b*) shall supply a copy of the whole or a part of any instrument registered in his office and, when so requested, shall certify the copy under his hand and seal of office.

**27.**—(1) This Act, except sections 15, 16, 17 and 18, comes into force on the day it receives Royal Assent. Commence-  
ment

(2) Sections 15, 16, 17 and 18 come into force on a day to be named by the Lieutenant Governor by his proclamation. Idem

**28.** This Act may be cited as *The Land Titles Amendment Act, 1966*. Short title





## CHAPTER 78

**An Act to amend The Land Transfer Tax Act**

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 2 of *The Land Transfer Tax Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 205, s. 2,  
subs. 1,  
re-enacted

- (1) Every person who tenders for registration a conveyance, deed, transfer or other instrument or writing whereby any land is granted, assigned, conveyed or otherwise transferred shall pay a tax before the conveyance, deed, transfer, instrument or writing is registered, computed at the rate of one-fifth of 1 per cent upon the value of the consideration for the grant, assignment, conveyance or other transfer up to \$25,000, and two-fifths of 1 per cent upon the remainder.

Imposition  
of tax

**2.** This Act comes into force on the 1st day of April, 1966.

Commence-  
ment

**3.** This Act may be cited as *The Land Transfer Tax Amendment Act, 1966*.

Short title



## CHAPTER 79

## An Act to amend The Law Society Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 10 of section 53 of *The Law Society Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 207, s. 53,  
subs. 10,  
re-enacted

- (10) The benchers may delegate any or all of the powers conferred upon them by this section to their discipline committee or to any other of their committees or to a referee or referees who, being members of the Society, may be appointed by the benchers from time to time and who shall report to the discipline committee or such other committee as is entrusted with consideration of applications for grants under this section, and the discipline committee or such other committee may act upon such reports.

Delegation  
of powers

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Law Society Amendment Act, 1966*.

Short title





## CHAPTER 80

**An Act respecting Legal Aid**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "area" means a part of Ontario designated by the regulations as an area for the purposes of this Act;
- (b) "area director" means an area director appointed under this Act;
- (c) "barrister and solicitor" means a member of the Law Society;
- (d) "certificate" means a legal aid certificate or a provisional legal aid certificate issued under this Act;
- (e) "Director" means the Director of Legal Aid appointed under this Act;
- (f) "Fund" means the Legal Aid Fund under this Act;
- (g) "Law Society" means The Law Society of Upper Canada;
- (h) "legal aid" means professional services provided under this Act and the regulations;
- (i) "person" means an individual;
- (j) "regulations" means the regulations made under this Act;
- (k) "student" means a person enrolled in the Bar Admission Course or in any law course approved by the Law Society;

(l)

(l) "Treasurer" means the Treasurer of the Law Society;

(m) "welfare officer" means an officer of the Department of Public Welfare designated by the Minister of Public Welfare under this Act.

Operation  
of plan

**2.** Subject to the approval of the Attorney General, the Law Society is hereby empowered to establish and administer a legal aid plan in accordance with this Act and the regulations.

Appoint-  
ment of  
Director,  
area  
directors,  
and staff

**3.**—(1) Subject to the approval of the Attorney General, the Law Society shall,

(a) appoint a Director of Legal Aid;

(b) appoint an area director for each area; and

(c) employ such other persons as it considers necessary.

Accommoda-  
tion, etc.

(2) The Law Society shall provide such office accommodation, furniture, equipment and supplies as it considers necessary.

Area  
legal aid  
committees

**4.**—(1) The Law Society may appoint a legal aid committee for an area.

Composition,  
etc.

(2) Each committee shall be composed of such number of members, shall be organized, and shall perform such functions, as the regulations prescribe.

Secretary

(3) The area director shall act as secretary of the area committee.

Legal Aid  
Fund,  
payments in

**5.**—(1) The Law Society shall,

(a) establish and maintain a fund to be known as the Legal Aid Fund into which shall be paid all moneys appropriated by the Legislature for the Fund, all costs awarded to recipients of legal aid, and all contributions made by recipients of legal aid who are required to pay any part of its cost; and

(b) keep such accounts and records of the transactions of the Fund as the regulations prescribe.

payments  
out

(2) The Law Society shall, subject to the regulations, pay out of the Fund,

(a) its expenses attributable to the administration of this Act and the regulations, including,

(i)

- (i) the expenses of the Treasurer and benchers and the expenses and allowances of members of committees,
  - (ii) the cost of office accommodation, furniture, equipment and supplies,
  - (iii) the salaries and expenses of the Director, area directors and other persons employed by the Law Society in the administration of this Act, and
  - (iv) the employer's contributions to any superannuation or pension plan that benefits the persons employed by the Law Society in the administration of this Act or to which such persons may contribute;
- (b) the fees and proper out-of-pocket disbursements of barristers and solicitors for legal aid;
- (c) the fees and proper out-of-pocket disbursements of duty counsel; and
- (d) audit fees.

**6.** The Law Society shall, at least once in every fiscal year <sup>Estimates</sup> of the Government at such time as the Attorney General directs, submit to him an estimate of the sum required to meet the payments out of the Fund during the next succeeding fiscal year of the Government after making allowance for the moneys that are estimated will be received from other sources.

**7.—**(1) The moneys required for the purposes of this Act <sup>Moneys</sup> during the fiscal year 1966-67 shall be paid out of the Consolidated Revenue Fund, and thereafter such moneys shall be paid out of the moneys appropriated by the Legislature for the purposes of this Act.

(2) The moneys required for the purposes of this Act shall <sup>Payment of appropriated moneys</sup> be paid to the Law Society by the Treasurer of Ontario from time to time upon the requisition of the Law Society.

**8.** The Provincial Auditor shall examine and report upon <sup>Auditor</sup> the accounts and financial transactions of the Fund.

**9.—**(1) There shall be an advisory committee on legal aid <sup>Advisory committee</sup> composed of,

(a)

- (a) a judge of the High Court;
- (b) a judge of a county or district court;
- (c) a magistrate;
- (d) two members of the Bar of Ontario;
- (e) a person holding a responsible position in the field of public welfare; and
- (f) such other persons,

as the Attorney General may appoint.

**Term of  
office**

(2) Each member of the committee shall serve for a term of one, two or three years and may be re-appointed on the expiry of the period for which he was appointed.

**Report**

(3) The committee shall report at least once in every year to the Attorney General.

- (a) on the operation of the legal aid plan; and
- (b) on the annual report of the Law Society to the Attorney General mentioned in section 10.

**Annual  
report**

**10.** The Law Society shall make a report annually to the Attorney General for the twelve months ending on the 31st day of March of the year in which the report is made containing,

- (a) a statement of the nature and amount of legal aid given during the year;
- (b) a statement of the receipts and disbursements of the Fund during the year;
- (c) a copy of the auditor's report for the year;
- (d) general information as to the working of this Act and the regulations; and
- (e) such other information as the Attorney General requests.

**Idem**

**11.** The Attorney General shall submit the reports mentioned in sections 9 and 10 to the Lieutenant Governor in Council and shall then lay such reports before the Assembly if it is in session or, if not, at the next ensuing session.

**12.** Except where otherwise provided in this Act, a certificate shall be issued to a person entitled thereto in respect of any proceeding or proposed proceeding, <sup>Where legal aid may be given</sup>

(a) in the Supreme Court;

(b) in a county or district court;

(c) in a surrogate court;

(d) where the applicant is charged with an indictable offence or where an application is made for a sentence of preventive detention under Part XXI of the *Criminal Code* (Canada);

1953-54,  
c. 51 (Can.)

(e) under the *Extradition Act* (Canada) or the *Fugitive Offenders Act* (Canada); and <sup>R.S.C. 1952,  
cc. 322, 127</sup>

(f) in the Exchequer Court of Canada.

**13.** Subject to the discretion of the area director, a certificate may be issued to a person otherwise entitled thereto, <sup>Idem, subject to discretion of area director</sup>

(a) in any summary conviction proceeding under any Act of the Parliament of Canada or of this Legislature if upon conviction there is likelihood of imprisonment or loss of means of earning a livelihood;

(b) in any proceeding,

(i) in a juvenile and family court,

(ii) in a division court,

(iii) before a quasi-judicial or administrative board or commission, or

(iv) in bankruptcy subsequent to a receiving order or an authorized assignment; or

(c) for drawing documents, negotiating settlements or giving legal advice wherever the subject-matter or nature thereof is properly or customarily within the scope of the professional duties of a barrister and solicitor.

**14.—(1)** Subject to the approval of the area legal aid committee, a certificate may be issued to a person otherwise entitled thereto, <sup>Idem, with approval of area legal aid committee</sup>

(a)



(a) in an appeal,

- (i) to the Supreme Court of Canada,
- (ii) to the Exchequer Court of Canada,
- (iii) to the Court of Appeal for Ontario,
- (iv) to a judge sitting in court or chambers,
- (v) under Part XXIV of the *Criminal Code* (Canada) or *The Summary Convictions Act*, or
- (vi) to a court of revision from a municipal assessment of a property that is the residence of the applicant and by way of appeal from the decision of the court of revision thereon to the judge of a county or district court and by way of appeal from the decision of such judge to the Ontario Municipal Board,
- (vii) to a quasi-judicial or administrative board or Commission; or

- (b) in a proceeding by way of certiorari, motion to quash, habeas corpus, or prohibition; and
- (c) in any matter referred by the area director to the area committee.

Procedure (2) An application for legal aid in a proceeding under this section shall be made to the area director in the prescribed form, and the area director shall submit the application and supporting material to the area legal aid committee.

Idem (3) The area legal aid committee shall consider the application and the supporting material and provide legal aid only if in the opinion of the committee the issue of a certificate is justified.

Appeal (4) An appeal lies to the Director from a decision of the area legal aid committee dismissing an application under this section.

Later applications not barred (5) Failure to apply for legal aid in the first instance does not bar an application for legal aid under this section.

Where legal aid not to be given **15.** A certificate shall not be issued to a person,  
(a) in proceedings wholly or partly in respect of defamation, breach of promise of marriage, loss of service

of a female in consequence of rape or seduction, alienation of affections or criminal conversation;

(b) in relator actions;

(c) in proceedings for the recovery of a penalty where the proceedings may be taken by any person and the penalty in whole or in part may be payable to the person instituting the proceedings; or

(d) in proceedings relating to any election.

**16.** Any costs paid or payable to a person to whom legal aid has been given under this Act are the property of the Law Society and shall be paid into the Fund. Disposition of costs

**17.—**(1) Every application for legal aid shall be made in the prescribed form addressed to the area director of the area in which the applicant resides at the time the application is made. Applications

(2) Every application for legal aid shall be referred by the area director to a welfare officer for a report as to whether the applicant can pay no part, some part or the whole of the cost of the legal aid applied for. Reference to welfare officer

(3) The welfare officer to whom the application is referred shall consider the income, disposable capital, indebtedness, requirements of persons dependent on the applicant, and such other circumstances as he deems to be relevant that are disclosed in the application or that he ascertains after inquiry, and he shall report to the area director as to whether the applicant can pay no part, some part or the whole of the cost of the legal aid applied for and the sum, if any, the applicant is able to contribute towards the cost thereof. Function of welfare officer

(4) Subject to subsection 5, the area director may issue a certificate only when he has received the report of the welfare officer and only where in the opinion of the area director the issue of a certificate is justified. Issue of certificate

(5) Where in the opinion of the area director the circumstances of an application require the issue of a certificate immediately, he may issue a provisional certificate without having first received the report of the welfare officer. Provisional certificate in exceptional cases

(6) On receipt of the report of the welfare officer and whether or not a provisional certificate has been issued, the area director may issue a certificate. Issue of certificate

## Terms and conditions

(7) An area director in issuing a certificate or provisional certificate may impose such terms and conditions as he deems proper.

## Cancellation

(8) An area director may at any time cancel any certificate or provisional certificate issued by him.

## Applications of non-residents

(9) An application for legal aid by a person not ordinarily resident in Ontario shall be disposed of by the Director.

## Appeal

(10) An appeal lies to the area committee from the refusal of the area director to issue a certificate or from the cancellation of a certificate.

## Recovery of contributions

**18.**—(1) The sum that a person is able to contribute towards the cost of legal aid given to him as set out in his certificate shall be paid by him and is a debt owing to the Law Society and may be recovered in any court of competent jurisdiction.

## Lien on sum recovered

(2) Where a person who has been given legal aid in connection with any proceedings recovers any sum as a result of the proceedings, an amount equal to the cost of such legal aid, less any sum that the person may have contributed to the cost, is a charge against the sum so recovered and shall be deducted therefrom and paid into the Fund.

## No legal aid without certificate

**19.** Except as to the professional services provided by duty counsel, no person is entitled to legal aid in any matter unless he holds a certificate or a provisional certificate respecting such matter that has been issued to him in accordance with this Act and the regulations.

## Legal panels

**20.** There may be established in accordance with the regulations,

- (a) panels of barristers and solicitors who agree to give legal aid;
- (b) panels of barristers and solicitors who agree to provide professional services as duty counsel;
- (c) panels of barristers and solicitors who agree to give legal advice; and
- (d) student legal aid societies.

## Payment for professional services

**21.**—(1) Every barrister and solicitor on a panel mentioned in clause *a* or *b* of section 20 who provides professional services under this Act shall be paid out of the Fund an amount equal to three-fourths of the fees customarily payable as between

a barrister or solicitor and his client for services rendered, as determined by the regulations, and an amount equal to his proper out-of-pocket disbursements in the proceeding or matter in which legal aid is given.

(2) Every barrister and solicitor on a panel mentioned in <sup>Idem</sup> clause *c* of section 20 shall be paid in accordance with the regulations.

**22.**—(1) Except in accordance with this Act and the regu- <sup>Authorized payments only</sup> lations, no barrister and solicitor shall take or receive any payment in respect of any professional services provided by him under this Act or the regulations.

(2) Notwithstanding *The Legislative Assembly Act*, the <sup>Members of the Assembly R.S.O. 1960, c. 208</sup> receipt of fees by a member of the Assembly for providing professional services under this Act does not affect his eligibility as a member of the Assembly or his right to sit or vote therein.

**23.** The Law Society is not liable for any act or omission <sup>Law Society not liable</sup> of any barrister and solicitor who provides professional services under this Act or the regulations.

**24.**—(1) Subject to the approval of the Lieutenant <sup>Regulations</sup> Governor in Council, the Law Society may make regulations respecting the establishment and administration of a legal aid plan and, without limiting the generality of the foregoing, may make regulations,

- (a) prescribing the duties of the Director, the area directors and other persons employed for the purposes of this Act;
- (b) prescribing the accounts and records that shall be kept of the transactions of the Fund;
- (c) respecting the payment out of the Fund of the expenses of the Law Society attributable to the administration of this Act and the regulations;
- (d) designating parts of Ontario as areas for the purposes of this Act;
- (e) providing for area legal aid committees, their composition and organization, and prescribing their functions;
- (f) respecting the establishment and functions of the panels and societies mentioned in section 20;
- (g) respecting applications for legal aid;

(h)



- (h) respecting entitlement to legal aid;
- (i) respecting certificates and provisional certificates;
- (j) respecting the fees to be paid to barristers and solicitors for professional services under this Act or the regulations;
- (k) providing for the settlement of accounts for professional services under this Act or the regulations and for an appeal therefrom;
- (l) providing for the recovery of and payment into the Fund of moneys due to the Fund;
- (m) providing for the payment out of the Fund of costs awarded against a person to whom legal aid has been given;
- (n) prescribing forms and providing for their use.

Designation  
by Attorney  
General

(2) The Attorney General may designate persons for the purposes of clause *k* of subsection 1.

R.S.O. 1960,  
c. 207, s. 52,  
repealed

**25.** Section 52 of *The Law Society Act* is repealed.

Commence-  
ment

**26.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**27.** This Act may be cited as *The Legal Aid Act, 1966*.



## CHAPTER 81

## An Act to amend The Loan and Trust Corporations Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 3 of section 2 of *The Loan and Trust Corporations Act* is amended by striking out "sections 29 and 45" in the first line and inserting in lieu thereof "sections 24, 25a, 29 and 45". R.S.O. 1960,  
c. 222, s. 2,  
subs. 3,  
amended

**2.** Subsection 1 of section 8 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 222, s. 8,  
subs. 1,  
re-enacted

- (1) For the purpose of incorporation, the applicants shall file with the Registrar an affidavit showing that at least \$500,000 of stock has been subscribed for and taken up *bona fide* by at least twenty-five responsible subscribers, that each of the applicants holds in his own name and for his own use shares of an aggregate par value of at least \$1,000 and has paid in cash all calls due thereon and all liabilities incurred by him to the corporation, that at least \$500,000 of such subscribed stock has been paid in cash by the subscribers into a branch in Ontario of a chartered bank, in trust for the proposed corporation, free from all liability on the part of the proposed corporation or any of the subscribers to make repayment of the same or any part thereof to any person, firm or corporation and that each subscriber has, out of his own money, contributed to the amount so paid in rateably according to the amount of shares subscribed for by him. Affidavit  
as to sub-  
scription  
and  
payment

**3.** Section 24 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 222, s. 24,  
re-enacted

24. Sections 75 to 75g of *The Corporations Act*, as amended or re-enacted from time to time, apply Proxy  
Requirements  
R.S.O. 1960,  
c. 71

*mutatis mutandis*

*mutatis mutandis* to registered corporations as if the provisions thereof were enacted in and form part of this Act.

R.S.O. 1960,  
c. 222,  
amended

4. *The Loan and Trust Corporations Act* is amended by adding thereto the following heading and section:

#### INSIDER TRADING

Insider  
trading  
requirements  
R.S.O. 1960,  
c. 71

25a. Sections 71 to 71f of *The Corporations Act*, as amended or re-enacted from time to time, apply *mutatis mutandis* to registered corporations as if the provisions thereof were enacted in and form part of this Act.

R.S.O. 1960,  
c. 222, s. 71,  
subs. 1,  
re-enacted

5.—(1) Subsection 1 of section 71 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:

Amount of  
capital  
subscribed  
and paid  
before  
borrowing

(1) No corporation shall exercise any of the borrowing powers conferred by this Act until it has a subscribed permanent stock that is paid up and unimpaired of at least \$500,000.

R.S.O. 1960,  
c. 222, s. 71,  
subs. 2,  
amended

(2) Subsection 2 of the said section 71 is amended by striking out "Where a corporation constituted with joint stock capital has subscribed permanent stock of at least \$300,000 on which at least \$100,000 has been actually paid in and is unimpaired, or where a corporation constituted without joint stock capital has a paid up, unimpaired, permanent and non-withdrawable capital of at least \$100,000" at the commencement thereof and inserting in lieu thereof "Where a corporation is qualified to borrow under subsection 1", so that the subsection shall read as follows:

Borrowing  
powers

(2) Where a corporation is qualified to borrow under subsection 1, subject to the limitations and restrictions contained in this Act, the directors, pursuant to powers conferred in that behalf by any by-laws or rules of the corporation passed at a general meeting called with due notice of such proposed by-laws and rules, may borrow money on behalf of the corporation at such rates of interest, and upon such terms as they from time to time think proper, and may for that purpose, subject as hereinafter provided, receive money on loan or on deposit, other than and in addition to money received in respect of shares of the corporation, and issue terminable debentures, bonds and other obligations, as well as execute mortgages under the seal of the corporation, for sums of not less than \$100 each, or may assign, transfer or deposit by way of equitable mortgage or otherwise,

for the sum so borrowed, any of the documents of title, deed, muniments, securities or property of the corporation, and either with or without power of sale or other special provisions, as they deem expedient.

**6.** Section 74 of *The Loan and Trust Corporations Act* is R.S.O. 1960,  
c. 222, s. 74,  
re-enacted repealed and the following substituted therefor:

74.—(1) Every loan corporation shall at all times main- Reserves  
required on  
deposits  
tain,

- (a) cash on hand or on deposit in a chartered bank;
- (b) unencumbered debentures, bonds, stocks or other securities of or guaranteed by the government of Canada or of any province of Canada or of any municipal corporation in Ontario or city in Canada; and
- (c) loans payable on demand and fully secured by a class of security referred to in clause b,

to an aggregate of at least 20 per cent of the amount of deposits and of obligations of the corporation payable in less than 100 days.

(2) Of the amount required to be maintained under Composition  
of reserves  
subsection 1,

- (a) at least 25 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in three years or less; and
- (b) at least 50 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in ten years or less.

**7.** Section 84 of *The Loan and Trust Corporations Act* is R.S.O. 1960,  
c. 222, s. 84,  
re-enacted repealed and the following substituted therefor:

84.—(1) Every trust company shall at all times main- Reserves  
required on  
deposits  
tain,

(a)

- (a) cash on hand or on deposit in a chartered bank;
- (b) unencumbered debentures, bonds, stocks or other securities of or guaranteed by the government of Canada or of any province of Canada or of any municipal corporation in Ontario or city in Canada; and
- (c) loans payable on demand and fully secured by a class of security referred to in clause b,

to an aggregate of at least 20 per cent of the amount of deposits and of funds received for guaranteed investment coming due in less than 100 days.

Composition  
of reserves

- (2) Of the amount required to be maintained under subsection 1,
  - (a) at least 25 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in three years or less; and
  - (b) at least 50 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in ten years or less.

R.S.O. 1960,  
c. 222,  
amended

**8.** *The Loan and Trust Corporations Act* is amended by adding thereto the following section:

Inquiries  
by  
Registrar

117a.—(1) The Registrar may address any inquiries to any corporation registered under this Act or to the president, manager or secretary thereof for the purpose of ascertaining its condition and ability to meet its obligations, and it shall be the duty of any corporation so addressed to promptly reply in writing to any such inquiries.

Answers  
may be in  
annual  
report

- (2) The Registrar may, in his discretion, embody in his annual report to the Minister the inquiries made by him under this section and the answers thereto.

R.S.O. 1960,  
c. 222, s. 131,  
re-enacted

**9.** Section 131 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:



131. No trust company that was not registered on the 1st day of January, 1966, shall be registered to transact business in Ontario unless it has a capital paid in and unimpaired of at least \$500,000.
- Capital requirement before registration

**10.**—(1) Clause *i* of subsection 1 of section 137 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:

R.S.O. 1960, c. 222, s. 137, subs. 1, cl. i, re-enacted

- (i) the preferred stocks of a company or bank that has preferred stock paid,
- (i) a dividend in each of the five years immediately preceding the date of investment at least equal to the specified annual rate upon all of its preferred stocks, or
- (ii) a dividend in each year of a period of five years ended less than one year before the date of investment upon its common stocks of at least 4 per cent of the average value at which the stocks were carried in the capital stock account of the company during the year in which the dividend was paid.

(2) Clause *b* of subsection 3 of the said section 137 is amended by striking out “the bonds, debentures, notes, shares or other securities of any company or bank, other than those mentioned in clause *d* of subsection 1” in the first, second and third lines and inserting in lieu thereof “the bonds, debentures, notes, stocks or other securities of any company or bank mentioned in clause *c, e, f, g, h, i* or *j* of subsection 1”, so that the clause shall read as follows:

R.S.O. 1960, c. 222, s. 137, subs. 3, cl. b, amended

- (b) the bonds, debentures, notes, stocks or other securities of any company or bank mentioned in clause *c, e, f, g, h, i* or *j* of subsection 1, provided that the market value of the securities on which the loan is made at all times exceeds the amount of the loan by at least 20 per cent of the market value, and provided further that the amount loaned on the security of the shares of any such company or bank does not at any time exceed 10 per cent of the market value of the total outstanding shares of such company or bank.

**11.** Clause *b* of subsection 4 of section 139 of *The Loan and Trust Corporations Act* is amended by striking out “other than those mentioned in clause *d*” in the second and third lines and inserting in lieu thereof “mentioned in clause *c, e, f, g, h, i* or *j*”, so that the clause shall read as follows:

R.S.O. 1960, c. 222, s. 139, subs. 4, cl. b, amended

(b)



bonds,  
debentures,  
etc.

- (b) the bonds, debentures, notes, stocks or other securities of any company or bank, mentioned in clause *c, e, f, g, h, i* or *j* of subsection 1 of section 137, provided that the market value of the securities on which the loan is made at all times exceeds the amount of the loan by at least 20 per cent of the market value, and provided further that the amount loaned on the security of the stocks of any such company or bank does not at any time exceed 10 per cent of the market value of the total outstanding stocks of such company or bank.

R.S.O. 1960,  
c. 222, s. 141,  
subs. 1,  
amended

**12.**—(1) Subsection 1 of section 141 of *The Loan and Trust Corporations Act* is amended by adding at the end thereof “in addition to the security required by this Act”, so that the subsection shall read as follows:

Personal  
security as  
collateral

- (1) A corporation may take personal security as collateral for any advance or for any debt due to the corporation in addition to the security required by this Act.

R.S.O. 1960,  
c. 222, s. 141,  
amended

(2) The said section 141 is amended by adding thereto the following subsection:

Receipt by  
directors,  
etc., of  
considera-  
tion for  
negotiating  
loans, etc.

- (3) No director or other officer of a corporation and no member of a committee of a corporation shall accept or be the beneficiary of any consideration or benefit for or on account of the negotiation of any loan, deposit, purchase, sale, payment or exchange made by or on behalf of the corporation.

R.S.O. 1960,  
c. 222, s. 142,  
subs. 1,  
cl. *a*,  
subcl. ii,  
amended

**13.**—(1) Subclause ii of clause *a* of subsection 1 of section 142 of *The Loan and Trust Corporations Act* is amended by striking out “company or bank” in the first and second lines and inserting in lieu thereof “bank or company or in companies that to the knowledge of the corporation are associated”, so that the subclause shall read as follows:

- (ii) make a total investment in any one bank or company or in companies that to the knowledge of the corporation are associated maturing in more than one year, including the purchase of its stock or other securities and the lending to it on the security of its debentures, mortgages or other assets or any part thereof, of an amount exceeding 15 per cent of its own paid in capital stock and reserve funds, or

(2) Subclause iii of clause *a* of subsection 1 of the said section 142 is amended by striking out "5 per cent" in the seventh line and in the twelfth line and inserting in lieu thereof in each instance "2½ per cent", so that the subclause shall read as follows:

R.S.O. 1960,  
c. 222, s. 142,  
subs. 1,  
cl. *a*,  
subcl. iii,  
amended

- (iii) make an investment referred to in subclause ii maturing in one year or less in an amount that together with the amount invested to which subclause ii applies exceeds in the case of a registered loan corporation the aggregate of 20 per cent of its own paid in capital stock and reserve funds and 2½ per cent of moneys borrowed on debentures and by way of deposit under section 71 and, in the case of a registered trust company, the aggregate of 20 per cent of its own paid in capital stock and reserve funds and 2½ per cent of moneys received as deposits and for guaranteed investment under sections 80 and 82.

(3) The said section 142 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 222, s. 142  
amended

(4) For the purposes of this section,

Interpreta-  
tion

(*a*) one company is associated with another if,

- (i) one of the companies controls the other,
- (ii) both of the companies are controlled by the same person or group of persons,
- (iii) each of the companies is controlled by one person and the person who controls one of the companies is related to the person who controls the other, and one of those persons owns directly or indirectly one or more shares of the capital stock of each of the companies,
- (iv) one of the companies is controlled by one person and that person is related to each member of a group of persons that controls the other company, and one of those persons owns directly or indirectly one or more shares of the capital stock of each of the companies, or

(v)

- (v) each of the companies is controlled by a related group and each of the members of one of the related groups is related to all of the members of the other related group, and one of the members of one of the related groups owns directly or indirectly one or more shares of the capital stock of each of the companies; and

- (b) whether a person is related to another or whether a group of persons is a related group shall be determined in the same manner as set out in section 1 of *The Corporations Tax Act*.

R.S.O. 1960,  
c. 73

R.S.O. 1960,  
c. 222, s. 148,  
re-enacted

**14.** Section 148 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:

Loans to  
directors or  
auditors

148. A corporation shall not lend money to a director or auditor thereof or to the spouse or a child of such director or auditor, or to a company if more than one-half of the shares of the capital stock of the company are owned by a director or auditor of the corporation or by the spouse or a child of such director or auditor, or by any combination of such persons.

R.S.O. 1960,  
c. 222, s. 150,  
subs. 3,  
re-enacted

**15.** Subsection 3 of section 150 of *The Loan and Trust Corporations Act*, as amended by subsection 3 of section 7 of *The Loan and Trust Corporations Amendment Act, 1965*, is repealed and the following substituted therefor:

Quarterly  
return  
by trust  
companies  
as to  
deposits  
and reserves

- (3) Every trust company shall make a quarterly return in the form prescribed by the Registrar showing the amount of cash and securities required to be maintained under section 84 and the amount of deposits and of funds received for guaranteed investment coming due in less than 100 days as such amounts exist on the last days of March, June, September and December in each year, and the return shall be filed with the Registrar not later than one month after the expiration of the quarter to which it relates.

R.S.O. 1960,  
c. 222, s. 151,  
re-enacted

**16.** Section 151 of *The Loan and Trust Corporations Act*, as amended by section 8 of *The Loan and Trust Corporations Amendment Act, 1965*, is repealed and the following substituted therefor:

Quarterly  
return  
by loan  
corporations  
as to  
deposits  
and reserves

151. Every loan corporation shall make a quarterly return in the form prescribed by the Registrar showing the amount of cash and securities required to be main-

tained

tained under section 74 and the amount of deposits and of obligations of the corporation payable in less than 100 days as such amounts exist on the last days of March, June, September and December in each year, and the return shall be filed with the Registrar not later than one month after the expiration of the quarter to which it relates.

**17.**—(1) Subsection 1 of section 152 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 222, s. 152, subs. 1, re-enacted

(1) The managing director, manager or secretary of each registered corporation shall prepare annually a statement in the form prescribed by the Registrar of the financial condition and affairs of the corporation for the year ending on the 31st day of December or on any date within the two months preceding the 31st day of December, and the statement shall be filed with the Registrar within two months after the end of the year to which it relates. Annual statement

(2) Subsection 5 of the said section 152 is repealed.

R.S.O. 1960, c. 222, s. 152, subs. 5, repealed

(3) Subsection 6 of the said section 152 is amended by striking out “1st day of March” in the third line and inserting in lieu thereof “last day for filing the annual statement”, so that the subsection shall read as follows: R.S.O. 1960, c. 222, s. 152, subs. 6, amended

(6) On sufficient cause shown and upon payment of the prescribed fee, the Registrar may by writing under his hand and seal of office, before or after the last day for filing the annual statement, extend the time for filing an annual statement. Extending time for filing of statement

**18.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

**19.** This Act may be cited as *The Loan and Trust Corporations Amendment Act, 1966*. Short title





## CHAPTER 82

## An Act to amend The Local Improvement Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 61 of *The Local Improvement Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 223, s. 61,  
re-enacted

61. Land on which a church or place of worship is erected or that is used in connection therewith, and the land of a university, college or seminary of learning, whether vested in a trustee or otherwise, except schools of school boards that have jurisdiction only within the municipality undertaking the local improvement and that are maintained in whole or in part by a legislative grant or a school tax, are liable to be specially assessed for local improvements, notwithstanding the provisions of *The Assessment Act*. Certain  
lands  
exempt from  
taxation  
liable to be  
specially  
assessed  
  
R.S.O. 1960,  
c. 23

**2.** This Act comes into force on the 1st day of January, 1967. Commence-  
ment

**3.** This Act may be cited as *The Local Improvement Amendment Act, 1966*. Short title



## CHAPTER 83

## An Act to amend The Marriage Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Marriage Act* is amended by relettering <sup>R.S.O. 1960,</sup> clause *a* as clause *aa* and by adding thereto the following <sup>c. 228, s. 1,</sup> amended clause:

(a) "band" means a band as defined in the *Indian Act* <sup>R.S.C. 1952,</sup> (Canada). <sup>c. 149</sup>

**2.** Subsection 2 of section 30 of *The Marriage Act* is amended <sup>R.S.O. 1960,</sup> by adding at the end thereof "or a member of a band upon the <sup>c. 228, s. 30,</sup> recommendation of the council of the band", so that the sub- <sup>subs. 2,</sup> section shall read as follows: <sup>amended</sup>

(2) Where it is deemed expedient for the public con- <sup>In town-</sup>venience, the Lieutenant Governor in Council may <sup>ships and</sup> appoint as an issuer the clerk of any township, or <sup>unorganized</sup> any person resident in the Provisional County of <sup>territory</sup> Haliburton, or in a township adjacent thereto, or in a provisional judicial district, or a member of a band upon the recommendation of the council of the band.

**3.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

**4.** This Act may be cited as *The Marriage Amendment* <sup>Short title</sup> *Act, 1966.*



## CHAPTER 84

## An Act to amend The Mechanics' Lien Act

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 25 of *The Mechanics' Lien Act*, as amended by R.S.O. 1960, c. 233, s. 25, amended section 1 of *The Mechanics' Lien Amendment Act, 1961-62* and section 2 of *The Mechanics' Lien Amendment Act, 1962-63*, is further amended by adding thereto the following subsection:

- (9) After the 1st day of January, 1967, an order dis-Registration number charging a mechanic's lien or vacating a certificate of action shall be registered by registering the order or a certificate thereof, under the seal of the court, that includes a description of the land as required by *The Land Titles Act* or *The Registry Act*, as the case R.S.O. 1960, cc. 204, 348 may be, and a reference to the registration number of every registered claim for lien and certificate of action affected thereby.

**2.** This Act comes into force on the day it receives Royal Commence-  
ment Assent.

**3.** This Act may be cited as *The Mechanics' Lien Amend-Short title* *ment Act, 1966*.





## CHAPTER 85

## An Act to amend The Medical Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 5 of *The Medical Act* is amended by striking out "Temporary Register" in the second line and inserting in lieu thereof "Special Register", so that the subsection shall read as follows: R.S.O. 1960, c. 234, s. 5, subs. 2, amended

- (2) A person who is registered only in the "Educational Register" or the "Special Register" is not entitled to be nominated or elected as a member of the Council or to vote in any election of members of the Council. Persons not entitled to vote, etc.

**2.—**(1) Subsection 1 of section 23 of *The Medical Act* is amended by striking out "Temporary Register" in the second line and inserting in lieu thereof "Special Register", so that the subsection shall read as follows: R.S.O. 1960, c. 234, s. 23, subs. 1, amended

- (1) The Council may by by-law establish and maintain a register to be known as the "Special Register" and may from time to time make regulations respecting the persons or classes of persons who may be registered therein, the qualifications to be required of such persons, the fees payable by those so registered, and the conditions, limitations and restrictions applicable to such persons. Special Register

(2) Subsection 2 of the said section 23 is amended by striking out "Temporary Register" in the first line and inserting in lieu thereof "Special Register", so that the subsection shall read as follows: R.S.O. 1960, c. 234, s. 23, subs. 2, amended

- (2) The persons registered in the Special Register are entitled to practise medicine, surgery and midwifery and shall be deemed to be registered medical practi- Effect of registration

tioners

tioners only for the period, in the manner, to the extent, and subject to the conditions, limitations and restrictions set out in the regulations applicable to such persons.

R.S.O. 1960,  
c. 234, s. 23,  
subs. 3,  
amended

(3) Subsection 3 of the said section 23 is amended by striking out "Temporary Register" in the fourth line and inserting in lieu thereof "Special Register", so that the subsection shall read as follows:

Removal  
of name  
from  
Special  
Register

(3) Upon any person so registered ceasing to comply, either as a result of circumstances or default, with the terms of the regulations applicable, the registrar shall remove the name of such person from the Special Register.

R.S.O. 1960,  
c. 234, s. 36  
(1962-63,  
c. 80, s. 2),  
re-enacted

3. Section 36 of *The Medical Act*, as re-enacted by section 2 of *The Medical Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Duties of  
discipline  
committee

36.—(1) The discipline committee shall, when so directed by the Council, executive committee or complaints committee,

- (a) inquire into the conduct of any member;
- (b) hold hearings into charges of professional misconduct against any member; and
- (c) inquire into and report to the Council upon an application by a former member to have his name restored to the register,

and shall perform such other duties as are assigned to it by the Council.

Idem,  
charges of  
professional  
misconduct

(2) In the case of hearings into charges of professional misconduct, the discipline committee shall,

- (a) consider the charge, hear the evidence and ascertain the facts of the case;
- (b) determine whether upon the evidence and the facts so ascertained the charge has been proved;
- (c) determine whether in respect of the charge so proved the member is guilty of professional misconduct; and

(d)

- (d) determine or recommend the penalty to be imposed as hereinafter provided in cases in which it finds the member guilty of professional misconduct.

- (3) The inquiries and hearings of the discipline committee shall be conducted in accordance with this Act and the practice and procedure prescribed by the by-laws. Procedure

4. Clause *a* of subsection 1 of section 38 of *The Medical Act*, as re-enacted by section 2 of *The Medical Amendment Act, 1962-63*, is amended by striking out "where any matter is tendered as evidence" in the first line and inserting in lieu thereof "where any evidence is tendered", so that the clause shall read as follows: R.S.O. 1960,  
c. 234, s. 38  
(1962-63,  
c. 80, s. 2),  
subs. 1,  
cl. a,  
amended

- (a) where any evidence is tendered that would not be admissible as such at the trial of a civil action in Ontario, the committee may receive such evidence if it is satisfied that its duty of making due inquiry into the case before it makes its reception desirable; and

. . . . .

5.—(1) Subsection 1 of section 39 of *The Medical Act*, as re-enacted by section 2 of *The Medical Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 234, s. 39  
(1962-63,  
c. 80, s. 2),  
subs. 1,  
re-enacted

- (1) Where the discipline committee finds that a member is guilty of professional misconduct, it may by order, Powers of  
discipline  
committee  
where  
professional  
misconduct  
has been  
found
- (a) suspend the member for a period not exceeding twelve months from the register on which he is registered;
- (b) direct that the member be reprimanded and, if deemed warranted, that the fact of such reprimand be recorded on the register;
- (c) direct that the imposition of a penalty be suspended or postponed for such period and upon such terms as it may designate;
- (d) in cases reported to the Council for determination of the penalty, if the professional misconduct consists of incompetence,

- (i) direct that the member's registration be suspended, or
- (ii) direct that the member's registration be transferred to the Special Register with such restrictions and conditions as the committee may designate, and that he discontinue the use of any specialty designation,

provided that any such direction shall remain in effect only until the final determination of the case by the Council or upon appeal; and

- (e) direct that the member pay to the College the costs of and incidental to the inquiry, which may include the cost of reporting and transcribing the evidence.

R.S.O. 1960,  
c. 234, s. 39  
(1962-63,  
c. 80, s. 2),  
subs. 3,  
re-enacted

(2) Subsection 3 of the said section 39 is repealed and the following substituted therefor:

Report to  
Council

- (3) If the discipline committee is of the opinion that the name of the member should be erased or that the term of suspension should exceed twelve months, it shall make a report to the Council of the facts and its findings and recommendations as to penalty, and may transmit therewith a transcript of the evidence taken at the inquiry.

R.S.O. 1960,  
c. 234, s. 40  
(1962-63,  
c. 80, s. 2),  
re-enacted

**6.** Section 40 of *The Medical Act*, as re-enacted by section 2 of *The Medical Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Powers and  
duties of  
Council in  
disciplinary  
matters

40.—(1) The powers and duties of the Council in disciplinary matters are,

- (a) to receive and record reports of the discipline committee in respect of the cases that have been completely dealt with by the committee, and the decision upon any appeal taken therefrom;
- (b) to receive, record and consider reports, findings and recommendations of the discipline committee in cases in which the committee has found a member guilty of professional misconduct and is of the opinion that the penalty imposed should be the erasure of the name of the member, or that he should be suspended as



a member for a period in excess of twelve months, and to impose such penalties as the Council considers proper; and

- (c) in appeals to the Council from the order of the discipline committee, to make such findings and orders and to impose such penalties as the Council considers proper, and may confirm, vary or reverse the order appealed from or may remit the case to the discipline committee for rehearing or to take additional evidence.

- (2) The Council may impose upon a member any <sup>Idem</sup> penalty that the discipline committee is authorized to impose, or may direct that the name of the member be erased or that he be suspended as a member for such period as the Council considers proper.

40a.—(1) A former member whose name has been erased <sup>Restoration of name on register</sup> or who has been suspended indefinitely may apply in writing to the registrar to have his name restored.

- (2) The registrar shall refer the application to the <sup>Hearing by discipline committee</sup> discipline committee, which shall hear the application and report its findings and recommendations to the Council.

- (3) Upon such a hearing, the procedure before the <sup>Procedure on hearing</sup> discipline committee shall follow in so far as applicable the procedure in an inquiry into a case of alleged professional misconduct.

- (4) The Council shall consider the report and recommendations of the discipline committee and make <sup>Order of Council</sup> such order as it considers proper.

- (5) The Council may direct that the former member <sup>Costs</sup> pay the costs of and incidental to the application and hearing.

- (6) A former member has the same right of appeal from <sup>Appeal</sup> the decision of the Council under this section as in the case of a decision in an inquiry into alleged professional misconduct.

7. Section 41 of *The Medical Act*, as re-enacted by section 2 of *The Medical Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 234, s. 41  
(1962-63,  
c. 80, s. 2),  
re-enacted

## Appeals

## 41.—(1) Any member aggrieved may appeal,

- (a) from the order of the discipline committee in a case that the committee has fully disposed of, either to the Council or to a judge of the Supreme Court, at any time within thirty days from the date of the order complained of, with a further right of appeal to the Court of Appeal from the order of the Council or judge; and
- (b) from the orders of the discipline committee and the Council, in a case that the discipline committee has referred to the Council for determination of the penalty, to a judge of the Supreme Court at any time within thirty days from the date of the order of the Council, with a further right of appeal to the Court of Appeal from the order of the judge.

## Idem

- (2) Any two members of the Council may appeal to the Council from an order of the discipline committee at any time within thirty days from the date of the order complained of.

## Idem

- (3) The College may appeal to the Court of Appeal from an order of a judge of the Supreme Court at any time within thirty days from the date of the order.

## Orders and costs

- (4) Upon the hearing of an appeal, the Council, judge or Court of Appeal, as the case may be, may make such order in the matter and as to costs as the Council, judge or Court of Appeal deems proper.

## Procedure and record

- (5) The appeal may be by motion, notice of which shall be served upon the registrar, and shall be founded upon a copy of the proceedings before the discipline committee, the evidence taken, the committee's report and all decisions and orders in the matter, certified by the registrar, and the registrar shall, upon the request of any member desiring to appeal and upon payment of the cost thereof, furnish such member with a certified copy of all proceedings, evidence, reports, orders and papers upon which the committee and the Council have acted in making the order complained of.

## Failure to pay costs

- (6) If the appellant fails to pay to the registrar the cost of the certified copy and the cost of such additional copies of the evidence as may reasonably be required

for purposes of the appeal within fifteen days after written demand, the appeal shall be deemed to be abandoned.

- (7) In the case of an appeal by two members of the Council, the registrar shall furnish the material required without charge. Record without charge

- (8) In all other respects, appeals to the Court of Appeal shall be in accordance with the practice in appeals from the decision or order of a judge of the Supreme Court. Practice on appeals to Court of Appeal

**8.**—(1) Clause *c* of subsection 1 of section 41*a* of *The Medical Act*, as enacted by section 2 of *The Medical Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960, c. 234, s. 41*a* (1962-63, c. 80, s. 2), subs. 1, cl. *c*, re-enacted

- (*c*) enter on the register the date and terms of any order made upon appeal and comply with its terms, and enter particulars of any abandoned appeal; and

- (*d*) enter on the register the name of a former member whose name has been restored by order of the Council or upon appeal and the date of the restoration.

(2) Subsection 2 of the said section 41*a* is repealed and the following substituted therefor: R.S.O. 1960, c. 234, s. 41*a* (1962-63, c. 80, s. 2), subs. 2, re-enacted

- (2) Except in the case of an order of the discipline committee under clause *d* of subsection 1 of section 39, the registrar shall not make an erasure or entry under subsection 1 until the time for appeal from the order has expired without an appeal being taken or, if taken, the appeal has been disposed of or abandoned. Idem

**9.** This Act comes into force on the day it receives Royal Assent. Commencement

**10.** This Act may be cited as *The Medical Amendment Act, 1966*. Short title



## CHAPTER 86

**An Act to amend  
The Medical Services Insurance Act, 1965**

*Assented to February 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clauses *b* and *c* of section 1 of *The Medical Services Insurance Act, 1965* are repealed. 1965, c. 70,  
s. 1, cls. *b*, *c*,  
repealed

(2) Clause *e* of the said section 1 is amended by inserting after “by” in the first line “a standard” and by adding at the end thereof “contract”, so that the clause shall read as follows: 1965,  
c. 70, s. 1,  
cl. *e*,  
amended

(*e*) “covered person” means a person who is covered by a standard medical services insurance contract.

(3) Clause *g* of the said section 1 is amended by striking out “from the date of issue until the carrier is no longer licensed under this Act” in the sixth and seventh lines, so that the clause shall read as follows: 1965,  
c. 70, s. 1,  
cl. *g*,  
amended

(*g*) “guaranteed renewable” means the right that is conferred upon the holder of a standard contract, in the absence of misrepresentation, misuse of services or non-payment of subscription, to continue on the same basis, except for subscription rates, his contract in force.

(4) Clause *i* of the said section 1 is repealed. 1965,  
c. 70, s. 1,  
cl. *i*,  
repealed

(5) Clause *j* of the said section 1 is repealed and the following substituted therefor: 1965,  
c. 70, s. 1,  
cl. *j*,  
re-enacted

(*j*) “Medical Services Insurance Division” means the Medical Services Insurance Division of the Department of Health.

(6) Clause *p* of the said section 1 is repealed. 1965,  
c. 70, s. 1,  
cl. *p*,  
repealed



1965,  
c. 70, s. 1,  
cl. *q*,  
amended

(7) Clause *q* of the said section 1 is amended by striking out “a standard co-insurance medical services insurance contract or” in the first and second lines, so that the clause shall read as follows:

(*q*) “standard contract” means a standard medical services insurance contract.

1965,  
c. 70, s. 1,  
cl. *t*,  
repealed

(8) Clause *t* of the said section 1 is repealed.

1965,  
c. 70, s. 2,  
subs. 2,  
amended

2. Subsection 2 of section 2 of *The Medical Services Insurance Act, 1965* is amended by adding “and” at the end of clause *a* and by striking out clause *b*.

1965,  
c. 70, s. 3,  
subs. 1,  
amended

3.—(1) Subsection 1 of section 3 of *The Medical Services Insurance Act, 1965* is amended by striking out “nine” in the third line and inserting in lieu thereof “seven”, by inserting after “public” in the fourth line “and” and by striking out “and two representative of the licensed carriers nominated by the Corporation” in the sixth and seventh lines, so that the subsection shall read as follows:

Medical  
Services  
Insurance  
Council

(1) There shall be a Medical Services Insurance Council, which shall be appointed by the Lieutenant Governor in Council and which shall be composed of seven members, five representative of the public and two representative of the medical profession nominated by the Ontario Medical Association.

1965,  
c. 70, s. 3,  
subs. 5, cl. *a*,  
amended

(2) Clause *a* of subsection 5 of the said section 3 is amended by striking out “maximum” in the first line and by striking out “recommended by the Corporation” in the second line, so that the clause shall read as follows:

(*a*) the initial and subsequent subscription rates.

1965,  
c. 70, s. 3,  
subs. 5, cl. *b*,  
amended

(3) Clause *b* of subsection 5 of the said section 3 is amended by striking out “recommended by the Corporation” in the first and second lines, so that the clause shall read as follows:

(*b*) the designation of open enrolment periods.

1965,  
c. 70, s. 3,  
subs. 6,  
amended

(4) Subsection 6 of the said section 3 is amended by striking out “or by the Corporation” in the second and third lines, so that the subsection shall read as follows:

Idem,  
complaints

(6) The Council shall deal with complaints relative to this Act, and with all matters referred to it by the Minister.

1965,  
c. 70, s. 3,  
subs. 7,  
repealed

(5) Subsection 7 of the said section 3 is repealed.

4. Section 4 of *The Medical Services Insurance Act, 1965* <sup>1965, c. 70, s. 4,</sup> is repealed. <sup>repealed</sup>

5.—(1) Subsection 1 of section 5 of *The Medical Services Insurance Act, 1965* is amended by striking out “by every licensed carrier that is not exempt under clause *b* of subsection 2 of section 2” in the fourth and fifth lines and inserting in lieu thereof “only by the Medical Services Insurance Division”, so that the subsection shall read as follows: <sup>1965, c. 70, s. 5, subs. 1, amended</sup>

- (1) Standard medical services insurance contracts shall be made available to residents and their dependants without regard to age, physical or mental infirmity, financial means, or occupation, only by the Medical Services Insurance Division. <sup>Availability of standard contracts</sup>

(2) Subsection 2 of the said section 5 is repealed. <sup>1965, c. 70, s. 5, subs. 2, repealed</sup>

6. Subsection 4 of section 6 of *The Medical Services Insurance Act, 1965* is repealed. <sup>1965, c. 70, s. 6, subs. 4, repealed</sup>

7. Sections 8, 9, 10, 11, 12 and 13 of *The Medical Services Insurance Act, 1965* are repealed. <sup>1965, c. 70, ss. 8-13, repealed</sup>

8.—(1) Section 14 of *The Medical Services Insurance Act, 1965* is amended by adding thereto the following subsection: <sup>1965, c. 70, s. 14, amended</sup>

- (1a) Notwithstanding subsection 1, where an application is made for a standard contract during the initial open enrolment period by a person mentioned in subsection 1 and the subscription is paid therefor, the effective date of such contract shall be the first day of the second month following the closing date of the initial open enrolment period. <sup>Applications during initial open enrolment period</sup>

(2) Subsection 3 of the said section 14 is repealed. <sup>1965, c. 70, s. 14, subs. 3, repealed</sup>

9. Section 15 of *The Medical Services Insurance Act, 1965* is repealed. <sup>1965, c. 70, s. 15, repealed</sup>

10. Subsection 2 of section 16 of *The Medical Services Insurance Act, 1965* is repealed and the following substituted therefor: <sup>1965, c. 70, s. 16, subs. 2, re-enacted</sup>

- (2) Where a resident who is not a dependant or his dependent spouse ceases to be covered under a group medical services insurance contract after the expiration of an open enrolment period, such person may make application for a standard contract within thirty days of the date of termination of his group <sup>Idem, group contract to standard contract</sup>

medical services insurance contract, which standard contract becomes effective on the date on which the application and payment of subscription are received by the Medical Services Insurance Division.

1965,  
c. 70, s. 17,  
subs. 1,  
amended

**11.**—(1) Subsection 1 of section 17 of *The Medical Services Insurance Act, 1965* is amended by striking out “Except as provided in section 21” in the first line and by striking out “a licensed carrier” in the second line and inserting in lieu thereof “the Medical Services Insurance Division”, so that the subsection shall read as follows:

Reasons for  
cancellation  
of standard  
contract

(1) A standard contract may be cancelled by the Medical Services Insurance Division only,

(a) for misrepresentation or fraud as to a material fact;

(b) for non-payment of the subscription;

(c) where the covered person ceases to be a resident, in which event coverage terminates ninety days after the date of ceasing to be a resident; or

(d) for misuse of services for which benefits are provided.

1965,  
c. 70, s. 17,  
subs. 3,  
amended

(2) Subsection 3 of the said section 17 is amended by striking out “carrier” in the first line and inserting in lieu thereof “Medical Services Insurance Division”, so that the subsection shall read as follows:

M.S.I.D.  
to advise as  
to appeal

(3) In the notice of cancellation, the Medical Services Insurance Division shall advise the covered person of his right to appeal the cancellation to the Council.

1965,  
c. 70,  
ss. 18, 19,  
repealed

**12.** Sections 18 and 19 of *The Medical Services Insurance Act, 1965* are repealed.

1965,  
c. 70, s. 20,  
re-enacted

**13.** Section 20 of *The Medical Services Insurance Act, 1965* is repealed and the following substituted therefor:

Benefits

**20.**—(1) Subject to subsections 2 and 4, the benefits under a standard contract during the period of two years commencing on the day on which this section comes into force shall be based upon 90 per cent of the Ontario Medical Association’s schedule of fees in effect on that day, but, if during such period such schedule of fees is changed in respect of any ancillary or incidental matter or in respect of any new pro-

cedure

cedure and such changes are accepted by the Minister in accordance with the regulations, then, subject to subsections 2 and 4, the benefits under a standard contract during the remainder of such period shall be based upon 90 per cent of the schedule of fees as so changed and accepted.

- (2) The amount of the benefits referred to in subsection 1 shall be 90 per cent of the fees set forth in the Ontario Medical Association's schedule of fees for practice in general, including the referral of a covered person by his physician to another physician, except, <sup>Idem, amount of</sup>

(a) where there is a referral of the covered person to a certified specialist by another physician; or

(b) where there is no fee set forth in the Ontario Medical Association's schedule of fees for practice in general,

and, in any case mentioned in clause *a* or *b*, 90 per cent of the Ontario Medical Association's schedule of fees for certified specialists applies.

- (3) In this section, "certified specialist" and "referral" have the meanings given them by the regulations. <sup>Interpretation</sup>

- (4) Where the Council considers that the benefits based on the schedule of fees mentioned in subsections 1 and 2 are not proper or equitable in the circumstances, the Council shall recommend to the Minister the method of payment that shall prevail if the Minister accepts the recommendation. <sup>Where benefits not equitable</sup>

- (5) Every claim for benefits under a standard contract shall be determined by the Medical Services Insurance Division, subject to a right of appeal to the Council. <sup>M.S.I.D. to determine benefits</sup>

**14.** Section 21 of *The Medical Services Insurance Act, 1965* is repealed. <sup>1965, c. 70, s. 21, repealed</sup>

**15.** Section 24 of *The Medical Services Insurance Act, 1965* is amended by striking out "A licensed carrier" in the first line and inserting in lieu thereof "The Medical Services Insurance Division" and by striking out "licensed carrier, and such licensed carrier" in the third line and inserting in lieu thereof "Medical Services Insurance Division, and the Medical Services Insurance Division", so that the section shall read as follows: <sup>1965, c. 70, s. 24, amended</sup>



Subrogation  
of  
M.S.I.D.

24. The Medical Services Insurance Division is subrogated to any right of a covered person to receive from any other person the benefits paid by the Medical Services Insurance Division, and the Medical Services Insurance Division may bring an action in the name of the covered person to enforce any such right.

1965,  
c. 70, s. 25,  
amended

- 16.** Section 25 of *The Medical Services Insurance Act, 1965* is amended by striking out "No licensed carrier shall" in the first line and inserting in lieu thereof "The Medical Services Insurance Division shall not", so that the section shall read as follows:

No inter-  
ference with  
choice of  
physician

25. The Medical Services Insurance Division shall not, under a standard contract, interfere with the right of a covered person to choose his own physician or impose an obligation upon a physician to treat any covered person.

1965,  
c. 70, s. 28,  
cls. a, e, f,  
repealed

- 17.**—(1) Clauses *a*, *e* and *f* of section 28 of *The Medical Services Insurance Act, 1965* are repealed.

1965,  
c. 70, s. 28,  
cl. h,  
amended

- (2) Clause *h* of the said section 28 is amended by striking out "maximum", so that the clause shall read as follows:

(*h*) prescribing subscription rates.

1965,  
c. 70, s. 28,  
amended

- (3) The said section 28 is amended by adding thereto the following clauses:

(*ia*) respecting the procedure for and conditions of acceptance by the Minister of any change in the schedule of fees of the Ontario Medical Association respecting any new procedure or any incidental or ancillary matter during the two-year period mentioned in subsection 1 of section 20;

. . . . .

(*ja*) providing the terms and conditions under which an action to enforce subrogation rights may be conducted and settled under section 24.

1965,  
c. 70, s. 28,  
cl. k,  
amended

- (4) Clause *k* of the said section 28 is amended by inserting after "on" in the first line "or extensions of", so that the clause shall read as follows:

(*k*) prescribing limitations on or extensions of benefits under standard contracts.



**18.** Schedule A to *The Medical Services Insurance Act, 1965* <sup>1965, c. 70, Sched. A, amended</sup> is amended by striking out:

*Limitations as prescribed by the regulations:*

1. Annual health examinations.
2. Well-baby care.
3. Psychotherapy.

in the sixth, seventh, eighth and ninth lines and inserting in lieu thereof the following:

The benefits provided by this Standard Medical Services Insurance Contract to a covered person shall, subject to the limitations prescribed by the regulations, include payment for the surgical procedures that are specified in the regulations that are performed in hospital by a dental surgeon.

**19.** Schedule B to *The Medical Services Insurance Act, 1965* <sup>1965, c. 70, Sched. B, repealed</sup> is repealed.

**20.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commence-ment</sup>

**21.** This Act may be cited as *The Medical Services Insurance Amendment Act, 1966*. <sup>Short title</sup>



## CHAPTER 87

**The Mental Health Act, 1966**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

(a) "Department" means the Department of Health;

(b) "hospital" means,

(i) a hospital approved under *The Public Hos-* R.S.O. 1960,  
c. 322  
*pitals Act*,

(ii) an institution as defined in *The Mental* R.S.O. 1960,  
c. 236  
*Hospitals Act*,

(iii) a hospital under *The Children's Mental* R.S.O. 1960,  
c. 56  
*Hospitals Act*,

(iv) a hospital under *The Community Psychiatric* 1960-61,  
c. 9  
*Hospitals Act, 1960-61*,

(v) a sanitarium as defined in *The Private Sani-* R.S.O. 1960,  
c. 307  
*taria Act*,

(vi) any institution or any institution of a class designated by the regulations;

(c) "local board" has the same meaning as in *The* R.S.O. 1960,  
c. 321  
*Public Health Act*;

(d) "medical officer of health" has the same meaning as in *The Public Health Act*;

(e) "mental health accommodation" means accommodation and facilities established and maintained in a hospital for the observation, care and treatment of persons suffering from psychiatric disorders;

(f)

- (f) "mental health officer" means an officer of the Department designated by the Minister for the purposes of this Act;
- (g) "Minister" means the Minister of Health;
- (h) "patient" means a person who is receiving care and treatment in mental health accommodation;
- (i) "regulations" means the regulations made under this Act.

Application  
of Act

**2.** Unless exempted by the regulations, this Act applies to the mental health accommodation,

- (a) of every hospital; and
- (b) of every institution to which this Act applies.

Compliance  
with Act  
required

**3.** On and after the day on which this Act comes into force, no hospital shall establish, maintain or operate mental health accommodation except in accordance with this Act and the regulations.

Function  
of medical  
health  
officers

**4.—(1)** The Minister may designate officers of the Department to be known as "mental health officers" who shall advise and assist local boards, medical officers of health, hospitals and other persons and institutions in all matters pertaining to mental health and who shall perform such other duties as are given to them by this Act or the regulations.

Idem,  
inspections

**(2)** A mental health officer shall inspect every mental health accommodation in accordance with the regulations and, in so doing, may interview any patient therein and inspect the books, records, certificates and forms relating to patients, and he shall submit a full report of his inspection to the Minister.

Idem

**(3)** The superintendent of a hospital in which there is mental health accommodation shall permit a mental health officer to make inspections under this Act at any time.

Idem

**(4)** A mental health officer when inspecting mental health accommodation shall inquire whether any patient is under restraint and, if so, as to the reasons therefor, and shall inspect the documents for the reception and detention of every patient therein and shall observe,

- (a) the condition of the mental health accommodation and its equipment;

(b)

- (b) the sufficiency of its staff;
- (c) the appearance of the patients; and
- (d) any other matter he deems proper.

**5.** The Minister, with the approval of the Lieutenant Governor in Council, may appoint a board composed of duly qualified medical practitioners, scientists and other persons to advise the Minister with respect to any matter under this Act.

Advisory  
board

**6.—**(1) The Lieutenant Governor in Council may make regulations,

Regulations

- (a) classifying mental health accommodation, exempting any mental health accommodation or any class thereof from the application of this Act and, for the purpose of clause *b* of section 2, designating mental health accommodation to which this Act applies;
- (b) designating any institution or any institution of a class as a hospital;
- (c) in respect of mental health accommodation,
  - (i) prescribing the matters upon which by-laws are to be passed by hospitals in respect thereof,
  - (ii) providing for the creation, establishment, construction, alteration, maintenance and repairs thereof,
  - (iii) prescribing the accommodation, facilities and equipment thereof,
  - (iv) providing for the control, government, management, conduct, operation and use thereof,
  - (v) providing for the officers and staff and prescribing their qualifications,
  - (vi) prescribing the forms, records, books, returns and reports to be made and kept in connection therewith and providing for returns, reports and information to be furnished to the Department,
  - (vii) prescribing the times and the nature of inspections thereof;

(d)



(d) prescribing the duties of mental health officers in addition to the duties specified in this Act.

Application  
of regula-  
tions

(2) The Minister may from time to time declare all or any of the regulations to be in force with respect to all hospitals or any one or more hospitals or classes thereof.

R.S.O. 1960,  
c. 235,  
repealed

**7.** *The Mental Health Act* is repealed.

Commence-  
ment

**8.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**9.** This Act may be cited as *The Mental Health Act, 1966*.

## CHAPTER 88

## An Act to amend The Mental Hospitals Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Mental Hospitals Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 236,  
amended

46*b*.—(1) In this section,

Interpre-  
tation

- (a) “board” means a board of review appointed under subsection 2;
- (b) “designated patient” means a patient admitted under section 23 or 32, or a patient continued as a certificated patient under section 27, or a patient of a class designated by the regulations;
- (c) “petition” means a petition submitted by a petitioner to a board under this section;
- (d) “petitioner” means a designated patient who has submitted a petition, or a designated patient on whose behalf a petition has been submitted by a friend or relative;
- (e) “psychiatrist” means a duly qualified medical practitioner who holds a specialist’s certificate in psychiatry issued by The Royal College of Physicians and Surgeons of Canada.

(2) The Lieutenant Governor in Council may,

Board of  
review,  
appoint-  
ment and  
chairman

- (a) appoint a board for one or more institutions to be composed of not more than five members of whom two shall be psychiatrists and one shall be a member of the Bar of Ontario; and
- (b) designate one of the members of a board as chairman.

(3)

Crown  
officers  
ineligible

- (3) An officer or servant of the Crown or an agency of the Crown is not eligible for appointment as a member of a board.

Term of  
office

- (4) Every member of a board shall hold office for a period of two years, but any member is eligible for re-appointment at the expiration of his term of office.

Vacancies

- (5) Every vacancy on a board caused by the death, resignation or otherwise of a member may be filled by the Lieutenant Governor in Council by the appointment of a person to hold office for the remainder of the term of such member.

Quorum

- (6) Three members of a board, at least one of whom is a psychiatrist and one a barrister, constitute a quorum.

Petition  
for review  
of case

- (7) Any designated patient, or a friend or relative of any designated patient on his behalf, may submit to the chairman of the board of the institution in which he is a patient a petition requesting that the board inquire into and report upon,

(a) whether there is sufficient cause to detain the petitioner;

(b) whether it is in the interest of the petitioner that he be discharged; or

(c) whether it is in the interest of the petitioner that he be placed in the custody of his family or friends on probation; and

(d) such other matters as the regulations prescribe,

at such time and in such form and manner and upon such conditions as the regulations prescribe.

Inquiry and  
hearing

- (8) Upon receipt by the chairman of a board of a petition, the board shall forthwith make such inquiries as it considers necessary to reach a decision respecting the petition and may hold a hearing for the purpose of receiving oral testimony.

Petitioner's  
rights at  
hearing

- (9) A petitioner has the right to be present at any hearing, unless the board is of opinion that this might be detrimental to his health, in which case he has the right to have a person present as his representative.

- (10) The petitioner or his representative has the right <sup>Idem</sup> to cross-examine witnesses, to call witnesses on the petitioner's behalf, and to make submissions.
- (11) The chairman of the board shall make a written <sup>Report</sup> report of the decision of the board and shall within the time prescribed by the regulations transmit the report to the petitioner or to the friend or relative who petitioned on his behalf, as the case may be, and a copy thereof to the superintendent of the institution in which the petitioner is a patient.
- (12) The superintendent shall take or cause to be taken <sup>Action on report</sup> such action as may be required to give effect to the decision of the board.
- (13) The Minister, Deputy Minister or a superintendent <sup>Inquiry upon request of Minister, etc.</sup> may request the board of an institution to inquire into and report upon the matters mentioned in subsection 7 in respect of any designated patient in such institution and submit a report of its decision.
- (14) For the purpose of an inquiry under subsection 13, the <sup>Powers and duties</sup> board shall have all the powers and duties conferred on it in respect of a petition under subsection 7.
- (15) Upon receipt of the report, the Minister, Deputy <sup>Action on report</sup> Minister or superintendent, as the case may be, shall take or cause to be taken such action as may be required to give effect to the decision of the board.
- (16) The Lieutenant Governor in Council may make <sup>Regulations</sup> regulations,
- (a) designating classes of patients for the purpose of this section;
  - (b) prescribing the times when and the conditions upon which a petition under this section may be submitted to a board and the form and manner of such submission;
  - (c) governing and regulating the hearings and other proceedings of a board in respect of petitions submitted to it and prescribing the time within which its report is to be made;
  - (d) prescribing matters for inquiry and report by a board under clause *d* of subsection 7;

- (e) governing and regulating the methods by which information relevant to the petition may be obtained by or furnished to a board;
- (f) for authorizing members of a board to interview in private a petitioner;
- (g) providing for the remuneration and expenses of the members of boards.

R.S.O. 1960,  
c. 236, s. 83,  
subs. 1,  
cl. a  
(1965, c. 71,  
s. 9, subs. 1),  
re-enacted

**2.** Clause *a* of subsection 1 of section 83 of *The Mental Hospitals Act*, as re-enacted by subsection 1 of section 9 of *The Mental Hospitals Amendment Act, 1965*, is repealed and the following substituted therefor:

- (a) an informal patient or a person admitted under section 22, unless immediately before his admission the Public Trustee was his committee.

Commence-  
ment

**3.**—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**4.** This Act may be cited as *The Mental Hospitals Amendment Act, 1966*.



## CHAPTER 89

**An Act to provide for the Establishment  
of The Moosonee Development Area Board**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Board" means The Moosonee Development Area Board;
- (b) "Development Area" means the area defined in Schedule A;
- (c) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council.

**2.**—(1) There is hereby established a corporation without share capital under the name of "The Moosonee Development Area Board".

Board,  
established

(2) The Board shall consist of five members appointed and designated as chairman, vice-chairman and members by the Lieutenant Governor in Council.

composition

(3) Three members of the Board constitute a quorum.

quorum

(4) If a vacancy occurs on the Board through death, resignation or otherwise, the vacancy may be filled and the members may be redesignated by the Lieutenant Governor in Council.

vacancy

(5) The Board shall be deemed to be a local board for the purposes of *The Ontario Municipal Employees Retirement System Act, 1961-62*.

deemed  
local board  
under  
1961-62,  
c. 97

**3.** For the purposes of every Act, the Board, in respect of the purposes specified in Schedule B, has, in the Development Area, all the powers and duties of the council of a town-

Powers of  
Board

ship,

ship, and, when any such power or duty is exercised under any Act in respect of any of such purposes, the Act applies *mutatis mutandis*.

District  
assessor  
R.S.O. 1960,  
c. 23

**4.** The Development Area is a locality for the purposes of section 104 of *The Assessment Act*.

Application  
of  
R.S.O. 1960,  
c. 98

**5.** The Board is subject to Part III of *The Department of Municipal Affairs Act* as though it were a municipality.

Grants

**6.** The Minister may make grants to the Board until the 31st day of March, 1967, out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature.

Application  
of 1961-62,  
c. 111

**7.** *The Provincial Land Tax Act, 1961-62* does not apply to the Development Area.

Board not  
municipality  
under  
R.S.O. 1960,  
c. 274

**8.** Except as otherwise provided in this Act, the Board is not a municipality under *The Ontario Municipal Board Act*.

Develop-  
ment Area  
deemed  
municipality  
under  
R.S.O. 1960,  
cc. 274, 275

**9.** For the purposes of *The Ontario Municipal Improvement Corporation Act* and sections 57, 58, 59, 60 and 61 of *The Ontario Municipal Board Act*, the Board shall be deemed to be a municipality and the approval of the Department of Municipal Affairs shall be deemed to be an approval of the Ontario Municipal Board under sections 64 and 65 of *The Ontario Municipal Board Act*.

Develop-  
ment Area  
remains  
territory

**10.** The Development Area shall remain territory without municipal organization.

Application  
of  
R.S.O. 1960,  
c. 71

**11.** *The Corporations Act* does not apply to the Board.

Regulations

**12.** The Lieutenant Governor in Council may make regulations amending Schedule B.

Commence-  
ment

**13.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**14.** This Act may be cited as *The Moosonee Development Area Board Act, 1966*.

## SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the District of Cochrane and Province of Ontario, being composed of Part of the Moosonee Townsite and parts of lots 25, 26, 27 and 28, Concession 2, and Part of Lot 28, Concession 1, in the Township of Moose, parts of lots 1 and 2, Concession 1, Township of Caron, all of Lot 1 and parts of lots 2, 3, 4 and 5, Concession 12, all of lots 1, 2, 3 and 4 and parts of lots 5, 6 and 7, Concession 11, all of lots 2, 3 and 4 and parts of lots 5, 6 and 7, Concession 10, all of Lot 2 and parts of lots 3, 4 and 5, Concession 9, and Part of Lot 3, Concession 8, Township of Horden, including lands of the Ontario Northland Railway, lands of the Department of National Defence, lands of the Department of Transport and all roads lying within the boundaries above defined, together with a portion of the north channel of the Moose River, and which said parcel or tract of land may be more particularly described as follows:

PREMISING that the bearings hereinafter referred to are assumed to be astronomic and are referred to the bearing North  $45^{\circ} 46'$  East for the north-western boundary of the Townsite of Moosonee:

COMMENCING at a point in the southwesterly boundary of lands of the Department of Transport of Canada, the said point being at the most westerly angle of lands shown on a Reference Plan of Survey recorded in the Land Titles Office at Cochrane as C. R.-772 and designated thereon as Part 2 and also being at the most southerly angle of lands shown on a Reference Plan of Survey recorded in the said Land Titles Office as C. R.-142 and designated thereon as Part 1;

THENCE North  $70^{\circ} 13' 30''$  West along the southwestern boundary of the said lands of the Department of Transport being along the southwestern boundary of the lands shown on the said Reference Plan C. R.-142 a distance of 1800.15 feet, more or less, to a point in the most westerly angle of the lands shown on the said Reference Plan C. R.-142, the said point being in the southeastern limit of the right of way of the Ontario Northland Railway at the most southerly angle of lands shown as Part 1 of the aforesaid Reference Plan C. R.-772;

THENCE North  $44^{\circ} 14'$  West along the southwestern limit of the land shown on the last-mentioned Reference Plan a distance of 400 feet, more or less, to a point in the most westerly angle of the said land and at a point in the division line between the Moosonee Townsite and the Township of Moose and distant 1703.95 feet measured South  $45^{\circ} 46'$  West thereon from a point in the eastern limit of Lot 25, Concession 2, of the said Township of Moose, which last-mentioned point is distant 1795.89 feet measured southerly along the east boundary of the said Lot 25 from the northeastern angle thereof;

THENCE North  $44^{\circ} 14'$  West, continuing along the southwestern limit of the lands of the Department of Transport of Canada a distance of 1600 feet to a point at the most westerly angle of the said lands and distant 935.32 feet measured South  $45^{\circ} 46'$  West along the northwest limit of the said lands of the Department of Transport from a point in the east limit of Lot 26, Concession 2, of the Township of Moose, distant 1182.02 feet measured southerly thereon from the northeast angle of the said Lot 26;

THENCE continuing North  $44^{\circ} 14'$  West a distance of 1040.0 feet to the most northerly angle of the Moosonee Development Area;

THENCE South  $45^{\circ} 46'$  West, parallel with the centre line of the Ontario Northland Railway and distant 2840 feet measured northwesterly at right angles therefrom, a distance of 21,618 feet to the most westerly angle of the Moosonee Development Area;

THENCE South  $44^{\circ} 14'$  East a distance of 2840 feet to the centre line of the said railway;

THENCE South  $45^{\circ} 46'$  West along the centre line of the said railway, a distance of 221 feet, more or less, to the southwestern limit of the lands of the Department of National Defence of Canada (Royal Canadian Air Force);

THENCE

THENCE South  $44^{\circ} 14'$  East along the southwestern limit of the said lands of the Department of National Defence a distance of 2050 feet, more or less, to the most southerly angle of the said lands;

THENCE North  $45^{\circ} 46'$  East along the southeastern limit of the last-mentioned lands a distance of 221 feet;

THENCE South  $44^{\circ} 14'$  East a distance of 6750 feet to a point approximately 150 feet measured South  $44^{\circ} 14'$  East from the northwestern natural high-water mark of Moose River;

THENCE northeasterly in the waters of the north channel of Moose River the following courses and distances: North  $17^{\circ} 50'$  East 6500 feet, North  $10^{\circ} 27'$  West 2360 feet, North  $31^{\circ} 18'$  East 3410 feet, North  $42^{\circ} 00'$  East 8600 feet, and North  $52^{\circ} 54'$  East 4015 feet, more or less, to a point in the southeasterly prolongation of the southwest limit of lands of the Department of Transport of Canada shown on a Reference Plan of Survey recorded in the Land Titles Office at Cochrane as C. R.-772 and designated thereon as Part 2, the said point being distant 1176 feet measured South  $70^{\circ} 13' 30''$  East along the southwest limit of the last-mentioned lands and its prolongation from the most westerly angle thereof and approximately 200 feet measured southeasterly along the said prolongation from the natural high-water mark of the Moose River;

THENCE North  $70^{\circ} 13' 30''$  West along the said prolongation and along the southwestern limit of the lands shown as Part 2 on the said Plan C. R.-772 a distance of 1176 feet to the point of commencement.

## SCHEDULE B

1. The provision, maintenance and operation of sewer and water services.
2. The provision and maintenance of roads and streets, including drainage thereof.
3. The collection, removal and disposal of garbage and other refuse.
4. All the purposes of *The Planning Act*.
5. The provision, maintenance and operation of fire protection services.
6. The provision, maintenance and operation of street lighting.





## CHAPTER 90

**An Act to amend  
The Motor Vehicle Fuel Tax Act**

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 3 of *The Motor Vehicle Fuel Tax Act*, as amended by subsection 1 of section 1 of *The Motor Vehicle Fuel Tax Amendment Act, 1964*, is further amended by striking out “20.5” in the amendment of 1964 and inserting in lieu thereof “22”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 248, s. 3,  
subs. 1,  
amended

- (1) Every purchaser shall pay to the Treasurer a tax<sup>Tax</sup> at the rate of 22 cents per imperial gallon on all fuel received by him.

(2) Subsection 2 of the said section 3, as amended by subsection 2 of section 1 of *The Motor Vehicle Fuel Tax Amendment Act, 1964*, is further amended by striking out “20.5” in the amendment of 1964 and inserting in lieu thereof “22”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 248, s. 3,  
subs. 2,  
amended

- (2) Every registrant shall pay to the Treasurer a tax<sup>Idem</sup> at the rate of 22 cents per imperial gallon on all fuel used by him to generate power for the propulsion of a motor vehicle.

**2.** This Act comes into force on the 1st day of April, 1966, and is repealed on the day on which *The Motor Vehicle Fuel Tax Act, 1965* is proclaimed in force.

Commence-  
ment  
and repeal

**3.** This Act may be cited as *The Motor Vehicle Fuel Tax Amendment Act, 1966*.

Short title



## CHAPTER 91

**An Act to amend  
The Motor Vehicle Fuel Tax Act, 1965**

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 2 of *The Motor Vehicle Fuel Tax Act, 1965* is amended by striking out "20.5" in the fourth line and inserting in lieu thereof "22", so that the subsection shall read as follows:

- (1) Except as provided in subsection 2, every person shall at the time of purchase or delivery pay to the Treasurer for the use of the Crown in right of Ontario a tax at the rate of 22 cents per imperial gallon on all diesel fuel purchased or delivery of which is received by him in Ontario for his own use.

**2.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

**3.** This Act may be cited as *The Motor Vehicle Fuel Tax Amendment Act, 1966 (No. 2)*.





## CHAPTER 92

# **An Act to provide for the Relocation of the Mulholland Cairn**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

(a) "Board of Trustees" means The Mulholland Cairn Board of Trustees established by *The Mulholland Cairn Act, 1938*; <sup>1938, c. 60</sup>

(b) "Mulholland Cairn" means the Mulholland Cairn referred to in section 2 of *The Mulholland Cairn Act, 1938*.

**2.** For the purpose of relocating the Mulholland Cairn, The Municipality of Metropolitan Toronto may acquire the lands described in the Schedule hereto and may convey such lands to the Board of Trustees. <sup>Conveyance of lands to Board of Trustees</sup>

**3.** Upon the conveyance of the lands referred to in section 2 to the Board of Trustees, the Board of Trustees is authorized to relocate the Mulholland Cairn upon such lands. <sup>Relocation of Mulholland Cairn</sup>

**4.** Upon the relocation of the Mulholland Cairn on the lands referred to in section 2, <sup>Effect of relocation</sup>

(a) section 9 of *The Mulholland Cairn Act, 1938*, prohibiting expropriation, applies to the lands referred to in section 2 of this Act and ceases to apply to the lands described in section 2 of *The Mulholland Cairn Act, 1938*;

(b) the lands referred to in section 2 of this Act may be leased by the Board of Trustees to The Municipality of Metropolitan Toronto for park purposes; and

(c)

- 1938, c. 60      (c) the lands described in section 2 of *The Mulholland Cairn Act, 1938* may be conveyed by the Board of Trustees to The Municipality of Metropolitan Toronto at such price as may be agreed upon and, in default of agreement, may be expropriated by the said Municipality, and *The Expropriation Procedures Act, 1962-63* applies to any such expropriation.
- 1962-63,  
c. 43
- Commence-  
ment      **5.** This Act comes into force on the day it receives Royal Assent.
- Short title      **6.** This Act may be cited as *The Mulholland Cairn Act, 1966*.

## SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of North York, County of York, Province of Ontario, and being lots 101 and 102 according to a plan registered in the Registry Office for the Registry Division of the East and West Ridings of the County of York as No. 6311.

CHAPTER 93

An Act to amend The Municipal Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 11 of *The Municipal Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 11,  
subs. 4,  
re-enacted

(4) Upon the application of a village or township having a population of not less than 2,000, the Municipal Board may erect the village or township into a town.

Erection of  
village or  
township  
into town

2. Subsection 10 of section 14 of *The Municipal Act*, as amended by section 3 of *The Municipal Amendment Act, 1965*, is further amended by adding thereto the following clauses:

R.S.O. 1960,  
c. 249, s. 14,  
subs. 10,  
amended

(fa) vest real property of either municipality or a local board thereof in the other municipality or a local board thereof and take any such vesting into consideration in the adjustments of assets and liabilities;

(ia) where by reason of annexation orders made under this section within any three-year period the taxable assessment of a local municipality is reduced by not less than a total of 15 per cent as shown by the last revised assessment rolls prior to the effective date of each of such annexations, and no order has been made under clause *i*, authorize and direct the payment to such municipality or to a school board thereof by the annexing municipality or a school board thereof, to relieve such municipality or school board from any undue burden by reason of the loss of such assessment, of compensating grants during a period of not more than five years after the effective date of the last annexation in such amounts and manner as may be agreed upon between the municipalities and

the

the school boards and approved by the Municipal Board or, failing agreement, as the Municipal Board may deem equitable after a public hearing in each case.

R.S.O. 1960,  
c. 249,  
amended

**3.** *The Municipal Act* is amended by adding thereto the following section:

Notice by  
Minister  
to Muni-  
cipal Board  
to stay  
proceedings

25a. When the Minister institutes an inquiry into the structure, organization and methods of operation of one or more municipalities, he may give notice to the Municipal Board of such inquiry and that in his opinion any application or applications made under this Part should be deferred until the inquiry has been completed and considered, and thereupon all proceedings in any such application are stayed until he gives notice to the Municipal Board that they may be continued.

R.S.O. 1960,  
c. 249, s. 31,  
amended

**4.** Section 31 of *The Municipal Act* is amended by adding thereto the following subsections:

Villages  
and town-  
ships with  
population  
of 10,000  
or more

(1a) If a village or township in a county has a population of not less than 10,000, the council may by by-law provide that the council shall be composed of a reeve, a deputy reeve, where so entitled, and a sufficient number of councillors to make up seven in all to be elected by general vote.

Time for  
passing  
by-law

(1b) A by-law for the purpose mentioned in subsection 1a and a by-law repealing any such by-law shall not be passed later in the year than the 1st day of November and shall take effect at and for the purpose of the municipal election next after the passing of it.

R.S.O. 1960,  
c. 249, s. 32,  
re-enacted

**5.** Section 32 of *The Municipal Act* is repealed and the following substituted therefor:

Councils of  
villages and  
townships in  
unorganized  
territory

32.—(1) In unorganized territory, the council of a village and the council of a township shall consist of a reeve and four councillors to be elected by general vote.

Where  
population  
of 2,000  
or more

(2) If the village or township has a population of not less than 2,000, the council may provide that the council shall consist of a reeve and six councillors, a reeve and seven councillors or a reeve and nine councillors.

Election  
by wards

(3) If the village or township has been divided into wards, the council may provide that the council shall consist of a mayor and one councillor for each ward and the

remaining

remaining councillors to complete the full number of four, six, seven or nine, as the case may be, to be elected by general vote.

**6.** Subsection 3 of section 35 of *The Municipal Act*, as amended by section 3 of *The Municipal Amendment Act, 1960-61* and subsections 2 and 4 of section 3 of *The Municipal Amendment Act, 1961-62*, is further amended by adding thereto the following clause:

R.S.O. 1960,  
c. 249, s. 35,  
subs. 3,  
amended

(m) of his having made a deposit with the corporation or with any local board thereof, the whole or part of which is or may be returnable to him in like manner as such a deposit is or may be returnable to all other ratepayers.

**7.** Section 36 of *The Municipal Act* is amended by striking out "void" in the fifth line and inserting in lieu thereof "voidable at the instance of the municipality or a municipal elector thereof", so that the section shall read as follows:

R.S.O. 1960,  
c. 249, s. 36,  
amended

36. If a member of a council in his own name or in that of another and alone or jointly with another enters into a contract with or makes a purchase from or a sale to the corporation, the contract, purchase or sale as against the corporation is voidable at the instance of the municipality or a municipal elector thereof.

Contracts  
by members  
with cor-  
poration  
to be  
voidable

**8.—(1)** Section 53 of *The Municipal Act* is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 249, s. 53,  
amended

(5a) Notwithstanding any general or special Act, the council of a local municipality may by by-law provide that thereafter the term of office of members of council of the municipality shall be three years, and all the members of council elected at the election next after the passing of the by-law and thereafter shall hold office for a three-year term.

Triennial  
elections

(2) Subsection 6 of the said section 53 is amended by inserting after "1" in the second line "or 5a".

R.S.O. 1960,  
c. 249, s. 53,  
subs. 6,  
amended

(3) Subsection 7 of the said section 53 is amended by adding thereto the following clause:

R.S.O. 1960,  
c. 249, s. 53,  
subs. 7,  
amended

(c) where the by-law under subsection 5a provides for triennial elections, shall be passed in the year in which the by-law under subsection 5a is passed or in any year in which a nomination meeting is to be held in respect of a triennial election.



R.S.O. 1960,  
c. 249, s. 53,  
subs. 8,  
amended

(4) Subsection 8 of the said section 53 is amended by inserting after "1" in the first line "or 5a".

R.S.O. 1960,  
c. 249, s. 53,  
subs. 9,  
re-enacted

(5) Subsection 9 of the said section 53 is repealed and the following substituted therefor:

Repeal

(9) Subject to section 54, where a by-law passed under subsection 1 or 5a is repealed, the members of the council and, where the power conferred by subsection 6 has been exercised, the elected members of any local board affected cease to hold office,

(a) where the staggered system of elections has been provided, at the end of the two-year term of office of the mayor, the reeve and the deputy reeve or deputy reeves;

(b) where biennial or triennial elections have been provided, at the end of the two-year or three-year term of office, as the case may be,

and an election shall be held for the members of council and of such local board for the ensuing year and thereafter as if the by-law had not been passed under subsection 1 or 5a.

R.S.O. 1960,  
c. 249, s. 90,  
amended

9.—(1) Section 90 of *The Municipal Act* is amended by adding thereto the following subsection:

Petition  
to hold  
poll on  
Saturday

(1a) When a petition, which according to the certificate of the clerk of the municipality is signed by not less than 10 per cent of the persons qualified to vote on money by-laws, is presented to the council of a local municipality at least seventy-five days before the day fixed for polling requesting the council to pass a by-law for providing advance polls, for the purposes set out in subsection 1, on a Saturday, excepting a Saturday that falls on the 24th, 25th or 31st day of December, the council shall pass a by-law in accordance with the petition.

R.S.O. 1960,  
c. 249, s. 90,  
subs. 2,  
amended

(2) Subsection 2 of the said section 90 is amended by inserting after "1" in the first line "or 1a".

R.S.O. 1960,  
c. 249, s. 207,  
subs. 4,  
repealed

10. Subsection 4 of section 207 of *The Municipal Act* is repealed.

R.S.O. 1960,  
c. 249, s. 215,  
amended

11. Section 215 of *The Municipal Act* is amended by adding thereto the following subsection:

- (4) Notwithstanding subsection 1, on the request of the Archivist of Ontario, the council may permit the originals of by-laws no longer in force or the operation of which is spent or of minutes of the proceedings of the council to be kept by the Archivist instead of the clerk, provided that a photographic copy of all such documents is kept by the clerk.

Original  
by-laws kept  
by Archivist

**12.** Subsection 2 of section 228 of *The Municipal Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 228,  
subs. 2,  
re-enacted

- (2) Where a local board is a local board of more than one municipality, the accounts and transactions thereof shall be audited by an auditor of the municipality that is liable for a larger portion of the operating costs of the local board than any other municipality, and, in the event of disagreement as to the proper auditor, the matter may be determined by the Department on the application of any municipality of which the local board in question is a local board.

Where  
board is  
local board  
of more  
than one  
municipality

**13.** Subsection 1 of section 236 of *The Municipal Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 236,  
subs. 1,  
re-enacted

- (1) Every member of a council, trustee of a police village and public utility commissioner, before entering on the duties of his office, shall make and subscribe a declaration of office (Form 20).
- (1a) Every clerk, treasurer, assessment commissioner, assessor, collector, engineer, commissioner of industries, clerk of works and street overseer or commissioner, before entering on the duties of his office, shall make and subscribe a declaration of office (Form 20a).

Declaration  
of office  
of members  
of council,  
etc.

Municipal  
officers

**14.** Section 248c of *The Municipal Act*, as enacted by section 10 of *The Municipal Amendment Act, 1962-63* and amended by section 21 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 248c  
(1962-63,  
c. 87, s. 10),  
re-enacted

248c.—(1) In this section,

Interpre-  
tation

- (a) "approved pension plan" means a pension, superannuation or benefit fund or plan to which a municipality or local board makes contribution under any general or special Act, except *The Public Service Superannuation Act*, *The Teachers' Superannuation Act* and *The Ontario Municipal Employees Retirement System Act, 1961-62*;

R.S.O. 1960,  
cc. 332, 392  
(1961-62,  
c. 97)

(b)

(b) "employee" means an employee as defined in paragraph 59 of section 377;

(c) "local board" means a local board as defined in paragraph 59 of section 377;

(d) "service" means employment of an employee, and "credited service" means service under an approved pension plan for which a pension is payable;

(e) "year's maximum pensionable earnings" means the Year's Maximum Pensionable Earnings as defined in the *Canada Pension Plan*.

1965, c. 51  
(Can.)

Termination  
of approved  
pension plan

(2) Subject to the approval of the Department, a municipality or local board that makes contribution to an approved pension plan may discontinue contributions to or terminate the provisions of such plan or may transfer the assets thereof to another such plan or to the Ontario Municipal Employees Retirement Fund.

Amendment  
of approved  
pension plan

(3) Notwithstanding any general or special Act, the terms and conditions of an approved pension plan shall not be altered, amended or repealed without the approval of the Department.

Maximum  
pension  
benefit

(4) Notwithstanding any general or special Act, a municipality or local board shall not make a contribution for the provision of a pension with respect to an employee under an approved pension plan or under *The Ontario Municipal Employees Retirement System Act, 1961-62* that is in excess of an annual amount of 2 per cent of his average annual earnings during the sixty consecutive months during which his earnings as an employee were highest multiplied by the number of years of his service up to thirty-five years and reduced by 0.7 per cent of the lesser of such average annual earnings or the year's maximum pensionable earnings established at the time he ceased to be employed by the municipality or local board multiplied by the number of years of credited service of the employee after the 1st day of January, 1966, but this subsection does not apply so as to reduce any benefit provided under the terms and conditions of an approved pension plan in force on the 31st day of December, 1965.

1961-62,  
c. 97

- (5) Notwithstanding any general or special Act, where an employee on or after the 1st day of March, 1948, <sup>Transfer from approved pension plan</sup>
- (a) has been contributing to an approved pension plan;
  - (b) terminates his employment with the municipality or local board; and
  - (c) without intervening employment becomes a member of the civil service of Ontario or Canada, the civic service of any other municipality or local board or the staff of any board, commission or public institution established under any Act of the Legislature,

he is entitled, in lieu of a refund of his contributions to the approved pension plan plus any interest thereon, to the pension benefits and any other benefits that would be payable under such plan in respect of his employment with the municipality or local board to the date of such termination as if he had continued in such employment until his death or retirement age, and such municipality or local board shall authorize, on the request of the employee, the transfer of a sum of money equal to the larger of,

- (d) the contributions made by the employee under the approved pension plan, plus any interest thereon; or
- (e) the present value, calculated as of the date of the transfer of such sum of money on the basis of generally accepted actuarial methods, of the pension benefits and any other benefits under the approved pension plan to which the employee is entitled as provided in this subsection,

to any fund or plan maintained to provide pension benefits for members of such civil or civic service or staff of which the employee has become a member, provided that such a transfer is permitted under the terms of the fund or plan to which the transfer is to be made.

- (6) Notwithstanding any general or special Act, where <sup>Transfer to approved pension plan</sup> a member of,
- (a) the civil service of Ontario or Canada;

(b)



- (b) the civic service of any other municipality or local board; or
- (c) the staff of any board, commission or public institution established under any Act of the Legislature,

on or after the 1st day of March, 1948, becomes an employee of a municipality or local board that makes contributions to an approved pension plan and there is a sum of money at the credit of the member in a superannuation or pension fund or plan maintained for members of such civil or civic service, the municipality may accept the transfer of such sum of money and apply it for the benefit of the employee in accordance with the terms of the approved pension plan.

Restriction  
upon  
refund

- (7) Where a sum of money is transferred in accordance with subsection 5 or 6 to a fund or plan and the employee or member is entitled to a refund under such fund or plan, only that portion of the sum so transferred that is attributable to contributions made by the employee or member, as determined by the employer responsible for the administration of the fund or plan from which the sum is transferred, may be refunded to the employee or member, and the remainder shall be credited to the fund or plan to which the sum is transferred.

R.S.O. 1960,  
c. 249, s. 286,  
subs. 2,  
amended

**15.**—(1) Subsection 2 of section 286 of *The Municipal Act*, as amended by subsection 1 of section 10 of *The Municipal Amendment Act, 1960-61*, section 12 of *The Municipal Amendment Act, 1962-63* and section 25 of *The Municipal Amendment Act, 1965*, is further amended by striking out the first six lines and substituting therefor the following:

Projects for  
which cor-  
poration not  
deemed to  
incur debt,  
payment of  
which is not  
provided for  
in estimates

- (2) A corporation shall not be deemed to be incurring a debt, the payment of which is not provided for in the estimates of the current year, when it is a debt payable within the two-year or three-year term for which the council was elected at a biennial or triennial election or with respect to any of the following undertakings, works, projects, schemes, acts, matters or things, except where the whole or any part of the cost thereof is to be provided for by the issue of debentures by any municipality,

. . . . .



(2) Clause *ma* of subsection 2 of the said section 286, as enacted by section 12 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 286, subs. 2, cl. *ma* (1962-63, c. 87, s. 12), re-enacted

(*ma*) agreements respecting the maintenance and operation of ambulances under *The Ambulance Services Act, 1966*, c. 7 1966, c. 7

**16.** Clause *c* of subsection 2 of section 294 of *The Municipal Act* is amended by adding at the end thereof "and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*", so that the clause shall read as follows: R.S.O. 1960, c. 249, s. 294, subs. 2, cl. *c*, amended

(*c*) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines and the assessment of telephone and telegraph companies, and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*. R.S.O. 1960, c. 23

**17.—**(1) Section 294*a* of *The Municipal Act*, as enacted by section 11 of *The Municipal Amendment Act, 1960-61*, is amended by adding thereto the following subsection: R.S.O. 1960, c. 249, s. 294*a* (1960-61, c. 59, s. 11), amended

(1*a*) Notwithstanding section 294, where the council of a local municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied under section 130 of *The Assessment Act*, the council may, in any year before the adoption of the estimates for that year, levy on the whole of the business assessment according to the last revised assessment roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on business assessment of public school supporters. Business assessment R.S.O. 1960, c. 23

(2) Subsection 2 of the said section 294*a* is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 294*a* (1960-61, c. 59, s. 11), subs. 2, re-enacted

(2) Where in any year a levy is made under this section, the amount required to be raised in that year by levy under section 294 shall be reduced by the amount to be raised by the levy under this section. Levy under s. 294 to be reduced

**18.** Clause *b* of subsection 2 of section 303 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 303, subs. 2, cl. *b*, re-enacted

(*b*)

- (b) Where no such debentures are redeemable or where the amount is not sufficient to redeem a debenture or where a balance remains after redemption as required by clause *a*, the amount or the balance, as the case may be, shall be applied on the annual payments of principal and interest on the debentures until the amount or the balance, as the case may be, has all been so applied, and the levies required for such purpose shall be reduced accordingly.

R.S.O. 1960,  
c. 249, s. 329,  
subs. 2,  
repealed

**19.**—(1) Subsection 2 of section 329 of *The Municipal Act* is repealed.

R.S.O. 1960,  
c. 249, s. 329,  
subs. 4,  
amended

(2) Subsection 4 of the said section 329 is amended by striking out “after the 30th day of June in any year” in the first line, so that the subsection shall read as follows:

Treasurer  
to furnish  
lender with  
copy of  
by-law,  
etc.

- (4) At the time that any amount is borrowed under this section, the treasurer shall furnish to the lender a copy of the by-law authorizing the borrowing and a statement showing the nature and amount of the estimated revenues of the current year not yet collected or, where the estimates for the year have not been adopted, a statement showing the nature and amount of the estimated revenues of the corporation as set forth in the estimates adopted for the next preceding year, and also showing the total of any amounts borrowed under this section that have not been repaid.

R.S.O. 1960,  
c. 249, s. 329,  
subs. 5,  
amended

(3) Subsection 5 of the said section 329 is amended by striking out “subsections 2 and 3” in the second line and inserting in lieu thereof “subsection 3”, so that the subsection shall read as follows:

Temporary  
application  
of estimates  
of preceding  
year

- (5) Until such estimates are adopted, the limitations upon borrowing prescribed by subsection 3 shall temporarily be calculated upon the estimated revenues of the corporation as set forth in the estimate adopted for the next preceding year.

R.S.O. 1960,  
c. 249, s. 329,  
subs. 6,  
repealed

- (4) Subsection 6 of the said section 329 is repealed.

R.S.O. 1960,  
c. 249, s. 330,  
amended

**20.** Section 330 of *The Municipal Act* is amended by adding at the end thereof “up to the total of the amount of the debentures authorized by the Municipal Board and any further amount that has been authorized by the Municipal Board”, so that the section shall read as follows:

Temporary  
advances

330. Where by this or any other Act power is conferred on a corporation to borrow money, it includes, pending the issue and sale of the debentures, the

power to agree with a bank or person for temporary advances from time to time to meet expenditures incurred, up to the total of the amount of the debentures authorized by the Municipal Board and any further amount that has been authorized by the Municipal Board.

**21.** Subsection 1 of section 372 of *The Municipal Act* is amended by adding at the commencement thereof "Subject to the approval of the Ontario Police Commission", so that the subsection shall read as follows: R.S.O. 1960,  
c. 249, s. 372,  
subs. 1,  
amended

- (1) Subject to the approval of the Ontario Police Commission, the council of every local municipality may establish, maintain and regulate lock-up houses for the detention and imprisonment of persons sentenced to imprisonment therein for not more than ten days, and of persons detained for examination on a charge of having committed any offence, or for transfer to any common jail for trial, or in the execution of any sentence, and such persons may be lawfully received and so detained in the lock-up. Lock-up  
houses

**22.**—(1) Paragraph 9 of section 377 of *The Municipal Act*, as re-enacted by subsection 1 of section 26 of *The Municipal Amendment Act, 1965*, is amended by striking out "establishing or for granting aid to the establishment" in the first and second lines and inserting in lieu thereof "establishing, operating, maintaining and improving or for granting aid to the establishment, operation, maintenance and improvement", so that the paragraph, exclusive of the clause, shall read as follows: R.S.O. 1960,  
c. 249, s. 377,  
par. 9  
(1965,  
c. 77, s. 26,  
subs. 1),  
amended

9. For establishing, operating, maintaining and improving or for granting aid to the establishment, operation, maintenance and improvement of air harbours or landing grounds in compliance with the *Air Regulations* (Canada), and for granting aid for aeronautical research work and for the development and general advancement of the science of aeronautics and the use of aircraft, and for entrusting the control and management of any air harbour or landing ground so established to a commission appointed by the council. Establish-  
ment, etc.,  
of air  
harbours  
or landing  
grounds

(2) The said section 377 is amended by adding thereto the following paragraph: R.S.O. 1960,  
c. 249, s. 377,  
amended

- 42a. For making grants in aid of the arts of the theatre, literature, music, painting, sculpture, or architecture or the graphic arts, or any other similar creative or interpretative activity. Aid to  
arts

R.S.O. 1960,  
c. 249, s. 377,  
par. 60,  
cl. b,  
amended

(3) Clause *b* of paragraph 60 of the said section 377 is amended by adding at the end thereof "and the first-mentioned municipality or local board shall pay to the other municipality or local board the amount that would have been paid to the employee if such employee had terminated his employment with such first-mentioned municipality or local board or one-half of the amount of the cumulative sick leave credits placed to the credit of the employee, whichever is the lesser", so that the clause shall read as follows:

Transfer  
of credits

(b) Where an employee of a municipality or local board that has established a sick leave credit plan under this or any other general or special Act becomes an employee of another municipality or local board that has also established a sick leave credit plan under this or any other general or special Act, the latter municipality or local board shall place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of the first-mentioned municipality or local board, provided that the amount of such sick leave credits so placed shall not exceed the amount of cumulative sick leave credits permitted under the plan to which the credits are placed, and the first-mentioned municipality or local board shall pay to the other municipality or local board the amount that would have been paid to the employee if such employee had terminated his employment with such first-mentioned municipality or local board or one-half of the amount of the cumulative sick leave credits placed to the credit of the employee, whichever is the lesser.

R.S.O. 1960,  
c. 249, s. 377,  
par. 60,  
amended

(4) Paragraph 60 of the said section 377, as amended by subsection 2 of section 14 of *The Municipal Amendment Act, 1960-61*, is further amended by adding thereto the following clause:

(d) Any local board may establish a plan of sick leave credit gratuities for employees or any class thereof, and the provisions of this paragraph apply *mutatis mutandis* thereto.

R.S.O. 1960,  
c. 249, s. 377,  
par. 61,  
cl. a,  
amended

(5) Clause *a* of paragraph 61 of the said section 377 is amended by inserting after "of" in the second line "twice", so that the clause shall read as follows:

(a) No by-law under this paragraph shall authorize contributions by the municipality in excess of twice the total of those made by the employees.



(6) Paragraph 61 of the said section 377 is amended by adding thereto the following clause:

R.S.O. 1960,  
c. 249, s. 377,  
par. 61,  
amended

- (c) Any local board may provide insurance and hospital, medical, surgical, nursing or dental services and payment therefor in the same manner and for the same classes of persons as the council of a municipality, and the provisions of this paragraph apply *mutatis mutandis* thereto.

(7) Clause *a* of paragraph 62 of the said section 377 is amended by striking out "the total" in the second and third lines and inserting in lieu thereof "twice the total of those", so that the clause shall read as follows:

R.S.O. 1960,  
c. 249, s. 377,  
par. 62,  
cl. *a*,  
amended

- (a) No by-law under this paragraph shall authorize contributions by the municipality in excess of twice the total of those made by the employees.

(8) Paragraph 62 of the said section 377 is amended by adding thereto the following clause:

R.S.O. 1960,  
c. 249, s. 377,  
par. 62,  
amended

- (c) Any local board may contribute toward the cost to employees of the plan of hospital care insurance provided for under *The Hospital Services Commission Act*, and the provisions of this paragraph apply *mutatis mutandis* thereto.

R.S.O. 1960,  
c. 176

(9) Paragraph 68 of the said section 377 is amended by adding thereto the following clause:

R.S.O. 1960,  
c. 249, s. 377,  
par. 68,  
amended

- (aa) The by-law establishing a parking authority or a subsequent by-law may provide for a staggered system of appointments, in which case, on the first appointment of members after the passing of the by-law, one member shall be appointed to hold office for one year, one for two years and one for three years, and thereafter all appointments shall be for a period of three years.

Staggered  
system of  
appoint-  
ments

(10) The said section 377 is further amended by striking out the heading immediately preceding paragraph 69 and substituting therefor the following:

R.S.O. 1960,  
c. 249, s. 377,  
amended

### *Special Undertakings*

(11) Clause *a* of paragraph 71 of the said section 377, as enacted by subsection 4 of section 26 of *The Municipal Amendment Act, 1965*, is amended by inserting after "hospital" in the fifth line "nursing home", so that the clause shall read as follows:

R.S.O. 1960,  
c. 249, s. 377,  
par. 71  
(1965,  
c. 77, s. 26,  
subs. 4),  
cl. *a*,  
amended

(a)



- (a) In this paragraph, "lodging house" means a nursing home and any house or other building or portion thereof in which persons are harboured, received or lodged for hire, but does not include a hotel, hospital, nursing home, home for the young or the aged or institution if the hotel, hospital, home or institution is licensed, approved or supervised under any other general or special Act.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
amended

- 23.**—(1) Subsection 1 of section 379 of *The Municipal Act* is amended by adding thereto the following paragraph:

Prohibiting  
incinerators  
in certain  
buildings

- 43a. For prohibiting the installation, use and maintenance of incinerators for the burning of garbage or other refuse in any class or classes of buildings erected after the 1st day of September, 1966.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 52,  
amended

- (2) Paragraph 52 of subsection 1 of the said section 379, as amended by subsection 4 of section 42 of *The Municipal Amendment Act, 1961-62*, is further amended by adding thereto the following clause:

Land of  
certain  
school  
boards

- (g) Land in the municipality of any school board that has jurisdiction in any other municipality or territory without municipal organization is liable to be specially assessed for the completion, improvement, alteration, enlargement or extension of any public utility undertaking under this section.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 54,  
amended

- (3) Paragraph 54 of subsection 1 of the said section 379 is amended by inserting after "the" in the first line and in the fourth line "owners or", so that the paragraph shall read as follows:

Removal of  
snow and  
ice from  
roofs and  
sidewalks of  
occupied  
premises

54. For requiring the owners or occupants of any designated class of building in the municipality or any defined area thereof to clear away and remove snow and ice from the roofs of such buildings and for requiring the owners or occupants of any designated class of building in the municipality or any designated area thereof to clear away and remove snow and ice from the sidewalks on the highways in front of, alongside or at the rear of such buildings and for regulating when and the manner in which the same shall be done.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
pars. 88b,  
88c  
(1962-63,  
c. 87, s. 16,  
subs. 3),  
repealed

- (4) Paragraphs 88b and 88c of subsection 1 of the said section 379, as enacted by subsection 3 of section 16 of *The Municipal Amendment Act, 1962-63*, are repealed.

(5) Clause *a* of paragraph 105 of subsection 1 of the said section 379 is amended by inserting after "parking" in the third line "standing or stopping", so that the clause shall read as follows:

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 105,  
cl. *a*,  
amended

- (a) A by-law under this paragraph may provide a procedure for the voluntary payment of penalties out of court in cases where it is alleged that the parking, standing or stopping provisions of the by-law have been contravened, and, if payment is not made in accordance with the procedure, subsection 2 of section 482 applies.

Expeditious  
procedures  
authorized  
for parking,  
standing or  
stopping  
offences

(6) Subsection 1 of the said section 379 is further amended by adding thereto the following paragraph:

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
amended

105*b*. Subject to *The Highway Traffic Act*, for designating any highway or highways having a width of 14 feet or less and for prohibiting the driving of vehicles having greater widths than those prescribed in the by-law on such highway or highways.

Limiting  
width of  
vehicles on  
certain  
highways  
R.S.O. 1960,  
c. 172

- (a) No such by-law is effective in respect of a highway so designated unless there is erected at each entrance thereto a sign clearly indicating the limitation on the width of vehicles permitted on such highway.

**24.** Section 379*a* of *The Municipal Act*, as enacted by section 43 of *The Municipal Amendment Act, 1961-62* and amended by section 10 of *The Municipal Amendment Act, 1964* and section 28 of *The Municipal Amendment Act, 1965*, is further amended by adding thereto the following subsections:

R.S.O. 1960,  
c. 249,  
s. 379*a*,  
(1961-62,  
s. 86, s. 43),  
amended

- (18) Notwithstanding section 482, a by-law passed under this section may provide for imposing fines of not more than \$5,000, exclusive of costs, on every person who contravenes such by-law.

Fines

- (19) Every such fine is recoverable under *The Summary Convictions Act*, all the provisions of which apply, except that the imprisonment may be for a term of not more than one year for the breach of such a by-law.

Recovery  
R.S.O. 1960,  
c. 387

**25.** Subsection 2 of section 379*e* of *The Municipal Act*, as enacted by section 29 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 379*e*  
(1965,  
c. 77, s. 29),  
subs. 2,  
re-enacted

- (2) The special charge or charges under any by-law shall refer specifically to sewage works or water works as defined in section 380, or to both, as the case may be.

Charges to  
refer to  
specific  
works

R.S.O. 1960,  
c. 249,  
amended

**26.** *The Municipal Act* is amended by adding thereto the following section:

**379f.** By-laws may be passed by the councils of local municipalities:

Water  
canals in  
subdivisions

1. For accepting a conveyance of lands in a registered plan of subdivision used or intended to be used for or in connection with water canals and, when such lands have been conveyed, for cleaning, dredging and maintaining such canals, and providing and maintaining equipment for the circulation of water in them, and for defining an area and providing that the cost of such cleaning, dredging, maintenance and equipment and maintenance thereof shall be levied on the rateable property in the area, and the by-law may provide that the whole or part of such cost shall be assessed upon the lots abutting on such canals according to the frontage thereof, and, where only part of such cost is assessed on the lots abutting such canals, the balance of the cost shall be assessed and levied on the rateable property in the area.

Regulating  
use

2. For regulating and governing the use of water canals and for limiting the speed at which any boat or other vessel may travel in such canals.

Docks and  
slips

3. For permitting the owners or lessees of lots abutting water canals conveyed to the municipality to construct, maintain and use docks or slips in such canals and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the canal shall be restored to its former condition at the expense of the owner or lessee of the land to which the privilege is appurtenant by removing the dock or slip or otherwise as may be required by the by-law.

(a) Such annual or other charge and any expense incurred by the corporation in restoring the water canal to its former condition is payable and payment of it may be enforced in like manner as taxes are payable and payment of them may be enforced.

(b)

- (b) The corporation is not liable for damages that may result from the construction, maintenance and use of any such dock or slip.

**27.** Section 380 of *The Municipal Act*, as re-enacted by R.S.O. 1960, c. 249, s. 380, section 17 of *The Municipal Amendment Act, 1962-63* and (1962-63, c. 87, s. 17), amended by section 11 of *The Municipal Amendment Act, 1964*, is further amended by adding thereto the following subsection:

- (21) A school board that has jurisdiction in the municipality and in any other municipality or territory without municipal organization is liable to a sewer rate or a water works rate imposed under subsection 2 or 10 and to a sewage service rate imposed under subsection 15. Liability of school boards

**28.**—(1) Paragraph 2 of section 384 of *The Municipal Act* is amended by striking out “Ontario” in the fourth line and inserting in lieu thereof “Canada”, so that the paragraph shall read as follows: R.S.O. 1960, c. 249, s. 384, par. 2, amended

2. For endowing fellowships, scholarships or exhibitions, and other similar prizes, in the University of Toronto, or in Upper Canada College, or in any other university or college in Canada, for competition among the pupils of the collegiate institutes, high schools and continuation schools in the municipality. Endowing fellowships, etc., in universities and colleges

(2) Paragraph 5 of the said section 384 is amended by striking out “Ontario” in the fourth line and inserting in lieu thereof “Canada”, so that the paragraph shall read as follows: R.S.O. 1960, c. 249, s. 384, par. 5, amended

5. For making permanent provision for defraying the expenses of the attendance at the University of Toronto, or at Upper Canada College, or at any other university or college in Canada, of such of the pupils of any collegiate institute, high school or continuation school of the municipality as are unable to incur the expense, but are desirous of and in the opinion of the head master thereof possess competent attainments for competing for any scholarship, exhibition or other similar prize offered by such university or college. Supporting certain pupils at universities, colleges, etc.

**29.** Section 408 of *The Municipal Act* is amended by striking out “but not exceeding \$2,000” in the seventh line, so that the section shall read as follows: R.S.O. 1960, c. 249, s. 408, amended



Expense  
allowance

408. Notwithstanding the other provisions of this Act or any other general or special Act, where an elected member of a council of a municipality or a local board, as defined in *The Department of Municipal Affairs Act*, is, under a by-law or resolution of the council or such local board, paid a salary, indemnity, allowance or other remuneration, one-third of such amount shall be deemed to be for expenses incident to the discharge of his duties as a member of the council or such local board.

R.S.O. 1960,  
c. 98

R.S.O. 1960,  
c. 249, s. 410,  
cl. b,  
subcl. ii,  
amended

**30.**—(1) Subclause ii of clause b of section 410 of *The Municipal Act* is amended by striking out “2,500” and inserting in lieu thereof “5,000”, so that the subclause shall read as follows:

(ii) in the case of a county . . . . . 5,000

Expense  
limits not  
applicable  
in 1967

(2) During Centennial Year 1967, the council of a municipality is not limited to the amounts set out in subclauses i and ii of clause b of section 410 of *The Municipal Act*.

R.S.O. 1960,  
c. 249, s. 411,  
subs. 2  
(1964,  
c. 68, s. 13),  
amended

**31.** Subsection 2 of section 411 of *The Municipal Act*, as re-enacted by section 13 of *The Municipal Amendment Act, 1964*, is amended by striking out “a sum not exceeding \$60,000” in the fifth line and inserting in lieu thereof “such sum as it may determine”, so that the subsection shall read as follows:

Expenditures  
for publicity

(2) The council of a municipality may, by a vote of three-fourths of all the members of the council or, in the case of a county, by a vote of three-fourths of the voting strength of the council, expend in any year such sum as it may determine for the purpose of paying any expenses of its department and commissioner of industries, if any, and for the purpose of diffusing information respecting the advantages of the municipality as an industrial, business, educational, residential or vacation centre.

R.S.O. 1960,  
c. 249, s. 459,  
amended

**32.** Section 459 of *The Municipal Act*, as amended by section 49 of *The Municipal Amendment Act, 1961-62* and section 32 of *The Municipal Amendment Act, 1965*, is further amended by adding thereto the following subsection:

Registration  
of by-laws

(9) A by-law passed under subsection 1, or any predecessor of subsection 1, for closing any street, road or highway or for opening upon any private property any street, road or highway does not take effect until it has been registered in the registry office of the



registry division in which the land is situate, and the by-law shall be registered without further proof by depositing a copy certified under the hand of the clerk and the seal of the municipality.

**33.** Clause *a* of subsection 1 of section 462 of *The Municipal Act* is amended by striking out “township” in the third line and inserting in lieu thereof “of a township with a population of less than 40,000”, so that the clause shall read as follows:

R.S.O. 1960,  
c. 249, s. 462,  
subs. 1,  
cl. a,  
amended

- (a) notice of the proposed by-law shall be published at least once a week for four successive weeks, and in the case of a village or of a township with a population of less than 40,000 shall be posted up for at least one month in six of the most public places in the immediate neighbourhood of the highway or proposed highway; and

. . . . .

**34.** Paragraph 3 of section 469 of *The Municipal Act*, as amended by section 33 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 469,  
par. 3,  
re-enacted

- 3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or

Use of  
highways  
by owners  
and lessees  
of abutting  
lands

opening,

opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy or heating device or otherwise as may be required by the by-law.

Charge

- (a) Such annual or other charge and any expense incurred by the corporation in restoring the highway to its former condition is payable and payment of it may be enforced in like manner as taxes are payable and payment of them may be enforced.

Liability of corporation for damages

- (b) The corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy or heating device, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

R.S.O. 1960,  
c. 249,  
amended

**35.** *The Municipal Act* is amended by adding thereto the following section:

**469a. By-laws may be passed by the council of every local municipality:**

Leasing of untravelled portions of highways

1. For leasing or licensing the use of untravelled portions of highways under the jurisdiction of the council, except highways that are extensions or connecting links of the King's Highway, within those portions of the municipality in which land may be used for commercial or industrial purposes, to the owners or occupants of adjoining property for such consideration and upon such terms and conditions as may be agreed.

Use of untravelled portions of highways under lease

2. For regulating and controlling the use, including the use for parking purposes, of untravelled portions of highways under the jurisdiction of the council that are not extensions or connecting links of the King's Highway, which are leased or in respect of which a licence is granted under paragraph 1.

R.S.O. 1960,  
c. 249, s. 473,  
subs. 4,  
cl. c,  
re-enacted

**36.** Clause c of subsection 4 of section 473 of *The Municipal Act* is repealed and the following substituted therefor:

- (c) authorizing and regulating the planting, with the consent of the owner, of shade or ornamental trees

within

within eight feet of any highway at the expense of the municipality, provided that any tree planted under the authority of any such by-law is the property of the owner of the land in which it is planted, and the municipality is not liable for maintenance or otherwise in respect of any tree so planted.

**37.** Subsection 5 of section 522 of *The Municipal Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 522,  
subs. 5,  
re-enacted

- (5) Except where otherwise provided by the Municipal Board, the members of the board, with respect to the improvement district, shall be the members of every local board within the meaning of *The Department of Municipal Affairs Act*, except a local board of health, a separate school board, a high school board of a high school district established under subsection 4 of section 12 of *The Secondary Schools and Boards of Education Act*, or a board of a county or district school area or a board of a township school area that includes the whole or part of another municipality or territory without municipal organization.

Board  
deemed to  
be local  
boards  
  
R.S.O. 1960,  
cc. 98, 362

**38.** Form 12 of *The Municipal Act* is amended by striking out the first paragraph of clause *c* of item 9 and substituting therefor the following:

R.S.O. 1960,  
c. 249,  
Form 12,  
amended

(c) *In the case of a person claiming to vote in respect of a freehold estate, insert here, "At the date of this election you are in your own right (or you reside in or within five miles of the municipality and your wife is in her own right or you reside in or within five miles of the municipality and your husband is in his own right) owner of land within this polling subdivision (or, in case of a ward not divided into polling subdivisions, within this ward)."*

**39.** Form 20 of *The Municipal Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249,  
Form 20,  
re-enacted

FORM 20

(Section 236 (1) )

DECLARATION OF ELECTED OFFICE

I, ....., do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of..... to which I have been elected in this municipality, that I have not received and will not receive any payment or reward, or promise thereof, for the exercise of any partiality or malversation or other undue execution of such office, that I have not by myself or partner, either directly or indirectly, any interest in any contract with or on behalf of the corporation, that I am not a shareholder with a controlling interest in or a director, manager, secretary, treasurer, secretary-treasurer or agent of an incorporated company having dealings or a contract with the corporation, and that I will disclose any pecuniary interest, direct or indirect, that I may have in any proposed contract with the corporation or in any other matter in which the (city, town, etc.) of..... is concerned.

## FORM 20a

(Section 236 (2) )

## DECLARATION OF APPOINTED OFFICE

I, ....., do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of (*insert name of office, or offices in the case of a person who has been appointed to two or more offices that he may lawfully hold at the same time*), that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the offices to which I have been appointed in this municipality, that I have not received and will not receive any payment or reward, or promise thereof, for the exercise of any partiality or malversation or other undue execution of such office (*or offices*), and that I have not by myself or partner, either directly or indirectly, any interest in any contract with or on behalf of the corporation except that arising out of my office as clerk (*or my office as assessor or collector, as the case may be*).

Commence-  
ment

**40.**—(1) This Act, except subsection 2 of section 15, section 16, subsections 4, 6 and 8 of section 22, subsections 2 and 4 of section 23 and sections 27, 29 and 32, comes into force on the day it receives Royal Assent.

Idem

(2) Subsection 4 of section 22 shall be deemed to have come into force on the 5th day of April, 1946.

Idem

(3) Subsection 6 of section 22 shall be deemed to have come into force on the 6th day of April, 1954.

Idem

(4) Subsection 8 of section 22 shall be deemed to have come into force on the 26th day of March, 1959.

Idem

(5) Section 29 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

(6) Section 16, subsection 2 of section 23 and sections 27 and 32 come into force on the 1st day of January, 1967.

Idem

(7) Subsection 2 of section 15 and subsection 4 of section 23 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**41.** This Act may be cited as *The Municipal Amendment Act, 1966*.



## CHAPTER 94

## An Act to amend The Municipal Franchises Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of subsection 1 of section 6 of *The Municipal Franchises Act* is amended by striking out "one year" in the second line and inserting in lieu thereof "three years", so that the clause shall read as follows:

R.S.O. 1960,  
c. 255, s. 6,  
subs. 1,  
cl. *d*,  
amended

(*d*) that is expressly limited in its operation to a period not exceeding three years and is approved by the Ontario Municipal Board.

**2.** Section 7 of *The Municipal Franchises Act* is amended by inserting after "of" in the first line "subsection 1 of" and by striking out "one year" in the sixth line and inserting in lieu thereof "three years", so that the section shall read as follows:

R.S.O. 1960,  
c. 255, s. 7,  
amended

**7.** Where a by-law to which clause *d* of subsection 1 of section 6 applies is passed, that clause does not apply to any subsequent by-law in respect of the same works or any part of them or to an extension of or addition to them, although the subsequent by-law is expressly limited in its operation to a period not exceeding three years, and no such subsequent by-law has any force or effect unless it is assented to by the municipal electors as provided by subsection 1 of section 3.

Extension  
of franchise

**3.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**4.** This Act may be cited as *The Municipal Franchises Amendment Act, 1966*.

Short title





## CHAPTER 95

# An Act to amend The Municipal Unconditional Grants Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 8a of *The Municipal Unconditional Grants Act*, R.S.O. 1960, c. 259, s. 8a, as re-enacted by subsection 1 of section 1 of *The Municipal Unconditional Grants Amendment Act, 1964*, (1964, c. 69, s. 1, subs. 1), re-enacted, is repealed and the following substituted therefor:

- 8a.—(1) Where a metropolitan municipality, a city or Grants re indigent hospitalization separated town in a county, a county or a municipality in a territorial district incurs an expenditure,
- (a) for premiums payable to the Ontario Hospital Services Commission to insure indigent persons of such municipality; or
  - (b) to discharge a liability under sections 18 and 27 of *The Public Hospitals Act* or section 22 R.S.O. 1960, cc. 322, 305 of *The Private Hospitals Act*,

such municipality shall be eligible in any year to receive an annual grant equal to 80 per cent of such expenditure for the preceding year less 50 per cent of the amount recovered by such municipality under sections 29 and 30 of *The Public Hospitals Act* in such preceding year.

- (2) A grant under subsection 1 shall be paid out of the moneys appropriated therefor by the Legislature and may be paid in any year following the year in which the expenditure is incurred. How grants payable

2. This Act shall be deemed to have come into force on the Commence-ment 1st day of January, 1966.

3. This Act may be cited as *The Municipal Unconditional Grants Amendment Act, 1966*. Short title



## CHAPTER 96

# An Act to amend The Municipality of Metropolitan Toronto Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of section 1 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 260, s. 1,  
cl. *a*,  
re-enacted

- (a) “area municipality” means the municipality or corporation of the Borough of East York, the Borough of Etobicoke, the Borough of North York, the Borough of Scarborough, the City of Toronto or the Borough of York.

(2) Clause *i* of the said section 1, as amended by subsection 2 of section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 260, s. 1,  
cl. *i*,  
re-enacted

- (i) “Metropolitan Area” means the area from time to time included within the Borough of East York, the Borough of Etobicoke, the Borough of North York, the Borough of Scarborough, the City of Toronto and the Borough of York.

**2.** Section 4 of *The Municipality of Metropolitan Toronto Act*, as amended by section 2 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 260, s. 4,  
re-enacted

- 4.**—(1) In every area municipality, meetings of electors for the nomination of candidates for council and for any local board, any members of which are to be elected by ballot by the electors, shall be held in the year 1966 and in every third year thereafter on the second Monday preceding the first Monday in December. Election of  
council, etc.

Day for  
polling

- (2) The day for polling shall be the first Monday in December, and the polls shall be open between the hours of 10 o'clock in the morning and 8 o'clock in the evening.

Nomination  
meeting

- (3) The council of every area municipality, before the 1st day of November in the year 1969 and in every third year thereafter, shall pass a by-law naming the place or places and time or times at which the nomination meeting or meetings shall be held, and, before the 1st day of November in the year 1966, the councils of the townships of North York and Scarborough shall each pass such a by-law, and the nomination meetings in the year 1966 in the area municipalities, other than the Boroughs of North York and Scarborough, shall be held as directed by the Municipal Board.

Term of  
office

- (4) The members of council and of such local boards shall hold office for a three-year term and until their successors are elected and the new council or board is organized.

Metro-  
politan  
Separate  
School  
Board

- (5) This section applies to members of the Metropolitan Separate School Board.

Extension  
of franchise  
under  
R.S.O. 1960,  
c. 254

- (6) Each area municipality shall be deemed to have passed a by-law providing for a resident voters' list under *The Municipal Franchise Extension Act*, and the assent of the electors as required therein shall be deemed to have been received.

R.S.O. 1960,  
c. 260, s. 5,  
re-enacted

**3.** Section 5 of *The Municipality of Metropolitan Toronto Act*, as amended by section 3 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Metro-  
politan  
Council  
membership

- 5.—(1) On and after the 1st day of January, 1967, the area municipalities are entitled to the following membership on the Metropolitan Council:

the Borough of East York	—	2 members
the Borough of Etobicoke	—	4 members
the Borough of North York	—	6 members
the Borough of Scarborough	—	5 members
the City of Toronto	—	12 members
the Borough of York	—	3 members



- (2) In accordance with the membership to which an area municipality is entitled under subsection 1, the Metropolitan Council shall include the mayor of each area municipality and, subject to subsection 3, Composition
- (a) where an area municipality has a board of control,
- (i) the controllers, or
- (ii) if the number of members, exclusive of the mayor, to which the area municipality is entitled is less than the number of controllers, the controllers to the number necessary to complete the membership to which the area municipality is entitled who, at the municipal election next preceding the day the new Metropolitan Council is organized in any year, received the greatest number of votes, the next greatest, and so on as the case requires, or
- (iii) if the area municipality is entitled to a greater number of members than the mayor and the other members of the board of control, the controllers and such number of aldermen appointed by the council of the area municipality as is necessary to complete the membership to which the area municipality is entitled; or
- (b) where the area municipality does not have a board of control, such number of aldermen appointed by the council of the area municipality as is necessary to complete the membership to which the area municipality is entitled.
- (3) Where the number of wards in an area municipality is equal to the number of aldermen to be appointed by the council of such area municipality, Where wards equal to number of aldermen to be appointed
- (a) the alderman for each ward; or
- (b) where there is more than one alderman for each ward, the alderman for each ward who, at the municipal election next preceding the day the new Metropolitan Council is organized in any year, received the greatest number of votes in such ward,

shall

shall be members of the Metropolitan Council in lieu of the aldermen to be appointed.

Acclamation  
or equality  
of votes

- (4) If after any election in an area municipality, by reason of acclamation or an equality of votes, it cannot be determined which controller or controllers or alderman or aldermen is or are entitled to be a member or members of the Metropolitan Council, the matter shall be determined by resolution of the council of the area municipality passed before the organization meeting of the Metropolitan Council.

Election of  
chairman

- (5) At the first meeting of the Metropolitan Council in each year after an election at which a quorum is present, the Metropolitan Council shall organize as a council and elect as chairman one of the members of the Metropolitan Council, or any other person, to hold office for that year and the two following years and until his successor is elected or appointed in accordance with this section.

Clerk to  
preside

- (6) The clerk of the Metropolitan Corporation shall preside at each such first meeting or, if there is no clerk, the members present shall select a member to preside, and the person so selected may vote as a member.

Adjourn-  
ment

- (7) If at such first meeting for any reason a chairman is not elected, the clerk or presiding member may adjourn the meeting from time to time and, if a chairman is not elected within one week after such first meeting, the Lieutenant Governor in Council shall appoint the chairman to hold office for that year and the two following years and until his successor is elected or appointed in accordance with this section.

Composition

- (8) The Metropolitan Council shall be composed of the chairman and the persons who are members pursuant to this Part.

City of  
Toronto  
membership  
on Metro-  
politan  
Council for  
years  
1967-69

- (9) Notwithstanding subsections 2 and 3 and in lieu of the membership on the Metropolitan Council provided for the City of Toronto in such subsections, for the years 1967, 1968 and 1969, the membership of the City of Toronto on the Metropolitan Council shall consist of,

(a) the mayor of the City of Toronto;

(b)

(b) the two members of the board of control of the City of Toronto who at the municipal election next preceding the day the new Metropolitan Council is organized in the year 1967 received the greatest number of votes; and

(c) the alderman in each ward of the City of Toronto who at the municipal election next preceding the day the new Metropolitan Council is organized in the year 1967 received the greatest number of votes in such ward.

(10) For the years 1967, 1968 and 1969, the City of Toronto shall consist of nine wards, and shall have a board of control consisting of the mayor and four controllers elected by general vote. Wards and board of control in City of Toronto

4.—(1) Subsection 3 of section 6 of *The Municipality of Metropolitan Toronto Act* is amended by striking out “sub-section 1” in the second line and inserting in lieu thereof “subsection 2, 3 or 9”. R.S.O. 1960, c. 260, s. 6, subs. 3, amended

(2) Subsection 4 of the said section 6 is amended by striking out “subsection 1” in the second line and inserting in lieu thereof “subsection 2, 3 or 9”. R.S.O. 1960, c. 260, s. 6, subs. 4, amended

(3) Subsection 6 of the said section 6 is amended by striking out “nine” in the third line and inserting in lieu thereof “eleven”. R.S.O. 1960, c. 260, s. 6, subs. 6, amended

5. Sections 8, 9 and 10 of *The Municipality of Metropolitan Toronto Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 260, ss. 8-10, re-enacted

8.—(1) Eleven members of the Metropolitan Council are necessary to form a quorum, and the concurring votes of a majority of members present are necessary to carry any resolution or other measure. Quorum, voting

(2) Each member of the Metropolitan Council, except the chairman, has one vote only, and the chairman does not have a vote except in the event of an equality of votes. Votes

9. The members of the Metropolitan Council, other than the chairman, hold office while they hold the offices that entitled them to such membership or to appointment to such membership and until their successors take office and a new Metropolitan Council is organized. Term of office

Vacancies,  
chairman

- 10.—(1) When a vacancy occurs in the office of a chairman who has been appointed by the Lieutenant Governor in Council, a person shall be appointed by the Lieutenant Governor in Council to hold office as chairman for the remainder of the term of his predecessor.

## Idem

- (2) When a vacancy occurs in the office of a chairman who has been elected under subsection 5 of section 5, the Metropolitan Council shall, at a general or special meeting to be held within twenty days after the vacancy occurs, elect a chairman, who may be one of the members of the Metropolitan Council or any other person, to hold office for the remainder of the term of his predecessor.

## Idem

- (3) If the Metropolitan Council fails to elect a chairman within twenty days as required by subsection 2, the Lieutenant Governor in Council may appoint a person as chairman to hold office for the remainder of the term of his predecessor.

Other  
members

- (4) When a vacancy occurs in the office of a member other than the chairman or a member who held office by reason of being a mayor, the council of the area municipality, of which he was a member, shall within fifteen days after the vacancy occurs appoint his successor to hold office for the remainder of the term of his predecessor, provided that, if he held office by reason of being a controller, another controller shall be appointed or, if he held office under subsection 2 of section 5 by reason of being an alderman, another alderman shall be appointed or, if he held office under subsection 3 or 9 of section 5 by reason of being an alderman for a ward, another alderman for such ward shall be appointed.

Resignation  
of chairman

- (5) Where a member of the council of an area municipality becomes chairman, he shall be deemed to have resigned as a member of such council, and his seat on such council thereby becomes vacant.

Vacancy  
due to  
absence from  
meetings

- (6) The seat of a member of the Metropolitan Council becomes vacant if he absents himself continuously from the meetings of the Metropolitan Council during a period of one month without being authorized so to do by a resolution of the Metropolitan Council entered upon its minutes, and the Metropolitan Council shall forthwith declare the seat to be vacant, and, notwithstanding subsection 4, the council of the area municipality of which he is a member may appoint any one of its members as his successor.



6. Section 12 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 260, s. 12,  
re-enacted

12.—(1) There shall be an Executive Committee of the Metropolitan Council composed of, Executive  
Committee

- (a) the chairman;
- (b) the mayor of each area municipality; and
- (c) where the City of Toronto has a board of control, the four controllers of such board; or
- (d) where the City of Toronto does not have a board of control, four aldermen of the City of Toronto, who are members of the Metropolitan Council, appointed by the council of the City of Toronto,

and the chairman shall be chairman of the Executive Committee and entitled to vote as a member thereof.

(2) The Executive Committee has all the powers and duties of a board of control under subsection 1 of section 206 of *The Municipal Act*, and subsections 2 to 15 and 17 to 19 of that section apply *mutatis mutandis*. Powers  
R.S.O. 1960,  
c. 249

(3) Each member of the Executive Committee shall, in addition to his remuneration as a member of the Metropolitan Council, receive such remuneration, not exceeding \$2,000 per year, as may be authorized by the Metropolitan Council. Remunera-  
tion

(4) In lieu of the membership of the City of Toronto provided for in clauses *c* and *d* of subsection 1, for the years 1967, 1968 and 1969, the following, in addition to the mayor, shall be members of the Executive Committee: Membership  
of City of  
Toronto on  
Executive  
Committee  
for years  
1967-69

- (a) the two controllers of the City of Toronto who are members of the Metropolitan Council; and
- (b) two of the aldermen of the City of Toronto who are members of the Metropolitan Council appointed by the members of the Metropolitan Council who are members of the council of the City of Toronto to hold office for such years.

(5) An alderman entitled to be a member of the Executive Committee under subsection 4 shall not take his seat until he has filed with the person presiding at the first meeting a certificate under the hand of the clerk of the Certificate  
of  
qualification



Metropolitan Corporation certifying that he is entitled to be a member under such subsection.

R.S.O. 1960,  
c. 260, s. 24,  
subs. 4,  
amended

7.—(1) Subsection 4 of section 24 of *The Municipality of Metropolitan Toronto Act* is amended by inserting after "Corporation" in the second and third lines and in the eighth line "or local board thereof", so that the subsection shall read as follows:

Idem

(4) Until such election or an agreement has been entered into under clause *d* of subsection 2, the Metropolitan Corporation or local board thereof shall deduct by instalments from the remuneration of the employee the amount that such employee is required to pay in accordance with the provisions of the plan of the area municipality or local board or of the County of York or the Toronto and York Roads Commission and the Metropolitan Corporation or local board thereof shall pay to the area municipality or local board or to the county of York or the Toronto and York Roads Commission in instalments,

(a) the amounts so deducted;

(b) the future service contributions payable under the plan by the area municipality or local board or by the County of York or the Toronto and York Roads Commission.

R.S.O. 1960,  
c. 260, s. 24,  
subs. 6,  
amended

(2) Subsection 6 of the said section 24, as amended by subsection 3 of section 5 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is further amended by inserting after "Corporation" in the first line, in the ninth and tenth lines and in the eleventh line "or local board thereof", so that the subsection shall read as follows:

Sick leave  
credits

(6) Where the Metropolitan Corporation or local board thereof employs a person theretofore employed by an area municipality or local board thereof or a local board of the Metropolitan Corporation or by the County of York or the Toronto and York Roads Commission, the employee shall be deemed to remain an employee of the area municipality or local board or of the County of York or the Toronto and York Roads Commission for the purposes of any sick leave credit plan of the area municipality, local board, the County of York or the Toronto and York Roads Commission until the Metropolitan Corporation or local board thereof has established a sick leave credit plan for its employees, whereupon the Metropolitan Corporation or local board thereof shall place to the credit of the employee the sick leave

credits

credits standing to his credit in the plan of the area municipality or local board or of the County of York or the Toronto and York Roads Commission.

(3) Subsection 7 of the said section 24, as amended by sub-  
section 4 of section 5 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is further amended by  
inserting after "Corporation" in the first line, in the fourth  
line and in the sixth line "or local board thereof", so that the  
subsection shall read as follows:

R.S.O. 1960,  
c. 260, s. 24,  
subs. 7,  
amended

(7) Where the Metropolitan Corporation or local board  
thereof employs a person theretofore employed by  
an area municipality or local board thereof or a local  
board of the Metropolitan Corporation or by the  
County of York or the Toronto and York Roads  
Commission, the Metropolitan Corporation or local  
board thereof shall, during the first year of his em-  
ployment by the Metropolitan Corporation or local  
board thereof, provide for such employee's holidays  
with pay equivalent to those to which he would  
have been entitled if he had remained in the employ-  
ment of the area municipality or local board or of  
the County of York or the Toronto and York Roads  
Commission.

Holidays

(4) The said section 24 is amended by adding thereto the  
following subsection:

R.S.O. 1960,  
c. 260, s. 24,  
amended

(8) A person who was employed by an area municipality  
or a local board thereof before the 1st day of January,  
1967, and who is employed by the Metropolitan  
Corporation or a local board thereof or by an area  
municipality or a local board thereof, without inter-  
vening employment, shall not be deemed to be a per-  
son who enters the employ of an employer within  
the meaning of clause *a* of subsection 1 of section 8  
of *The Ontario Municipal Employees Retirement*  
*System Act, 1961-62*.

Application  
of OMERS  
to transfer of  
employment  
to Metro-  
politan  
Corporation  
or area  
municipality

1961-62,  
c. 97

8. Subsection 2 of section 37 of *The Municipality of Metro-  
politan Toronto Act*, as enacted by section 7 of *The Muni-  
cipality of Metropolitan Toronto Amendment Act, 1961-62*,  
is amended by inserting after "Metropolitan" in the second  
and third lines "Toronto", so that the subsection shall read  
as follows:

R.S.O. 1960,  
c. 260, s. 37,  
subs. 2  
(1961-62,  
c. 88, s. 7),  
amended

(2) For the purposes of sections 27, 72, 75 and 83 of  
*The Assessment Act*, "school board" includes The  
Metropolitan Toronto School Board and an agent  
thereof.

Assessment  
appeals by  
Metro-  
politan  
Toronto  
School  
Board  
R.S.O. 1960,  
c. 23

R.S.O. 1960,  
c. 260,  
Part II,  
amended

**9.** Part II of *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Repeal  
of partial  
exemption  
of dwellings

37a.—(1) The council of the City of Toronto and the council of the Borough of Etobicoke may, without the assent of the electors, repeal any by-law in force in the City or Borough providing for the partial exemption of dwellings from taxation or provide for the abolition of such exemption over a period of five years in such manner as the council may determine.

Toronto  
by-law

(2) Any such by-law in force in the City of Toronto immediately before this section comes into force shall be deemed to be in force in the whole of the City of Toronto until repealed.

R.S.O. 1960,  
c. 260,  
amended

**10.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following Part:

#### PART IV-A

##### WASTE DISPOSAL

Interpre-  
tation

73a.—(1) In this Part,

- (a) "area municipality" includes a local board;
- (b) "waste" includes ashes, garbage, refuse and domestic or industrial waste of any kind.

Waste  
disposal

(2) The Metropolitan Corporation may acquire and use land within the Metropolitan Toronto Planning Area and may erect, maintain and operate buildings, structures, machinery or equipment for the purposes of receiving, dumping and disposing of waste, and may contract with any person for such purposes, and may prohibit or regulate the dumping and disposing of waste or any class or classes thereof upon any such land, and may charge fees for the use of such property, which fees may vary in respect of different classes of waste, but no such fees shall be charged to any area municipality or its agent.

Approval re  
acquisition  
of land

(3) The power to acquire land under subsection 2 shall not be exercised without,

- (a) the approval of the municipality in which the land is situate, which approval may be granted upon such terms and conditions as may be agreed upon; or
- (b) failing such approval or agreement, the approval of the Municipal Board.

- (4) The Municipal Board, before giving its approval <sup>Approval of O.M.B.</sup> under clause *b* of subsection 3, shall hold a public hearing and shall give or cause to be given at least ten days notice of the hearing to the clerk of the municipality concerned and to such other persons in such manner as the Municipal Board may direct, and the Municipal Board, as a condition of giving any such approval, may by its order impose such restrictions, limitations and conditions respecting the acquisition or use of such land as to the Municipal Board may appear necessary or expedient.
- (5) On and after the 1st day of January, 1967, no area municipality shall exercise any of its powers with <sup>Powers of area municipalities</sup> respect to the matters provided for in subsection 2 without the consent of the Metropolitan Council.
- (6) The Metropolitan Council shall, before the 1st day of January, 1967, pass by-laws, which shall be <sup>Assumption of lands for waste disposal</sup> effective on the 1st day of January, 1967, assuming for the use of the Metropolitan Corporation any land, building, structure, machinery or equipment, including vehicles used primarily for the disposal of waste, that the Metropolitan Corporation may require for the purposes of subsection 2 that is vested on the 31st day of March, 1966, in any area municipality and is used on such date for the purposes set out in subsection 2 or that is acquired by any area municipality after the 31st day of March, 1966, and before the 1st day of January, 1967, for such use, and on the day any such by-law becomes effective the property designated therein vests in the Metropolitan Corporation.
- (7) No area municipality, after the 31st day of March, 1966, and before the 1st day of January, 1967, shall without the consent of the Metropolitan Council <sup>Sale by area municipalities limited</sup> sell, lease or otherwise dispose of or encumber any property mentioned in subsection 6.
- (8) Notwithstanding subsection 6, a by-law for assuming <sup>Extension of time</sup> any property mentioned in subsection 6, with the approval of the Municipal Board, may be passed after the 1st day of January, 1967, and in that case the by-law shall become effective on the date provided therein.
- (9) Where the Metropolitan Corporation assumes any <sup>Liability of Metropolitan Corporation</sup> property under subsection 6 or 8,



- (a) no compensation or damage shall be payable to the area municipality except as provided in this subsection;
- (b) the Metropolitan Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debentures issued by the area municipality in respect of any property vested in the Metropolitan Corporation under subsection 6 or 8; and
- (c) notwithstanding any order of the Municipal Board or any debenture by-law passed pursuant thereto, all amounts of principal and interest becoming due thereafter with respect to any debentures theretofore issued by the Metropolitan Corporation in respect of any property vested in the Metropolitan Corporation under subsection 6 or 8 shall be repaid by levies against all the area municipalities.

## Default

- (10) If the Metropolitan Corporation fails to make any payment as required by clause *b* of subsection 9, the area municipality may charge the Metropolitan Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.

Settling  
of doubts

- (11) In the event of any doubt as to whether,
  - (a) any outstanding debenture or portion thereof was issued in respect of any property assumed under subsection 6 or 8; or
  - (b) any vehicle was used primarily for the disposal of waste,

the Municipal Board, upon application, may determine the matter, and its decision is final.

Local  
by-laws not  
applicable  
to Metro-  
politan  
Corporation  
operations  
R.S.O. 1960,  
c. 249

- (12) No by-law of any municipality heretofore or hereafter passed pursuant to paragraph 112 of subsection 1 of section 379 of *The Municipal Act* or a predecessor thereof shall apply to the operations of the Metropolitan Corporation pursuant to subsection 2.

Existing  
contracts  
for disposal  
of waste

- (13) Nothing in this Part shall affect any contract for the disposal of waste that is now existing between any person and any area municipality, but the Metropolitan Corporation and any such area municipality may enter into an agreement providing that



the Metropolitan Corporation shall assume all or part of the liability created by such contract in respect of the disposal of waste.

**11.** Subsection 1 of section 116 of *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 260, s. 116,  
subs. 1,  
amended

- (ba) If the Commission deems it desirable, to establish, construct, manage and operate parking lots for the parking of vehicles in connection with its local passenger transportation system, and to charge fees for parking therein.

**12.** Part VII of *The Municipality of Metropolitan Toronto Act*, as amended by sections 4, 5 and 6 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61*, section 11 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1964* and section 5 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 260,  
Part VII  
(ss. 124-148),  
re-enacted

## PART VII

### EDUCATION

#### 124. In this Part,

Interpre-  
tation

- (a) "Department" means the Department of Education;
- (b) "Minister" means the Minister of Education;
- (c) "regulations" means regulations made under *The Department of Education Act*;
- (d) "resident pupils" means pupils,

R.S.O. 1960,  
c. 94

- (i) who reside with their parents or guardians, or

- (ii) who or whose parents or guardians are assessed for an amount equal to the average assessment of the ratepayers,

within the limits of a high school district for secondary school purposes, or a school section for public school purposes, within the Metropolitan Area, but does not include pupils residing with their parents or guardians on land that is exempt from taxation for school purposes, who and whose parents or guardians are not assessed for, and do not pay, taxes

for secondary school purposes or public school purposes, respectively, in the high school district or school section;

(e) "School Board" means The Metropolitan Toronto School Board.

Area municipality a high school district, urban school section

125. Each area municipality is a high school district and is deemed to be an urban school section.

Boards of education in area municipalities

126.—(1) On and after the 1st day of January, 1967, there shall be a board of education for each area municipality, to be known respectively as,

(a) The Board of Education for the Borough of East York;

(b) The Board of Education for the Borough of Etobicoke;

(c) The Board of Education for the Borough of North York;

(d) The Board of Education for the Borough of Scarborough;

(e) The Board of Education for the City of Toronto; and

(f) The Board of Education for the Borough of York.

Term of office

(2) The members of such boards of education shall hold office for a three-year term and until their successors are elected or appointed and a new board organized.

Dissolution of former boards of education

(3) On the day on which each such new board of education holds its first meeting,

(a) the board or boards of education having jurisdiction in the area municipality for which such new board of education is established are dissolved; and

(b) all the assets and liabilities of the former board or boards of education are assets and liabilities of such new board of education.

Application of R.S.O. 1960, c. 362

127.—(1) All the provisions of *The Secondary Schools and Boards of Education Act* that are not inconsistent with this Act apply to such boards of education in the same manner and to the same extent as if such boards of education had been created by by-laws pursuant to *The Secondary Schools and Boards of Education Act*.

- (2) Each such board of education has all the powers, <sup>Powers and duties</sup> duties and responsibilities conferred and imposed upon it by any general or special Act and regulations made thereunder that are not inconsistent with the provisions of this Act, and shall comply with all the requirements of this Act that apply to them.
  - (3) Each such board of education may borrow money <sup>Borrowing powers</sup> under section 100 of *The Schools Administration Act* <sup>R.S.O. 1960, c. 361</sup> only with the approval of the Metropolitan Council on the recommendation of the School Board.
  - (4) Each such board of education shall have a director <sup>Director of education</sup> of education appointed under Part VII of *The Schools Administration Act*, and he shall also be the secretary <sup>R.S.O. 1960, c. 361</sup> and treasurer of such board.
  - (5) An employee of a board of education in the Metro- <sup>Eligibility of employee of board to be member</sup> politan Area or of the School Board is not eligible to be a member of any board of education in the Metro- politan Area.
128. The first meeting of each such board of education <sup>First meeting</sup> in the year 1967 shall be held on the first Wednesday in January in that year and thereafter shall be held not later than the second Wednesday in January in each year at such place and time as the board may determine.
- 129.—(1) The Metropolitan School Board is continued <sup>School Board continued</sup> a corporation under the name of The Metropolitan Toronto School Board with the powers and duties and for the purposes set out in this Act.
- (2) On and after the 1st day of January, 1967, the School <sup>Composition of School Board</sup> Board, subject to subsection 5, shall be composed of the chairman of each board of education in the Metropolitan Area and,
    - (a) one member of and appointed by The Board of Education for the Borough of Etobicoke;
    - (b) two members of and appointed by The Board of Education for the Borough of North York;
    - (c) one member of and appointed by The Board of Education for the Borough of Scarborough;
    - (d) five members of and appointed by The Board of Education for the City of Toronto; and
    - (e) three members appointed by the Metropolitan Separate School Board.

Appoint-  
ment by  
boards of  
education

- (3) The appointment of members of a board of education as members of the School Board shall be made at the first meeting of the board of education in each year after elections have been held in the area municipalities.

Election of  
chairman

- (4) At the first meeting of the School Board in each year, at which a quorum is present, the School Board shall elect as chairman one of its members to hold office for that year and until his successor is elected in accordance with this section.

Disqualifica-  
tion  
R.S.O. 1960,  
c. 362

- (5) No person employed by the School Board or appointed under section 54 of *The Secondary Schools and Boards of Education Act* to a board of education in the Metropolitan Area is eligible to be a member of the School Board, and, where the chairman of any such board of education is so appointed, the board of education shall appoint another member thereof as a member of the School Board.

First  
meeting  
in year

- 130.—(1) The first meeting of the School Board in each year shall be held not later than the third Wednesday in January on such date and at such time and place as may be fixed by resolution of the School Board.

Organiza-  
tion  
meeting

- (2) At the first meeting of the School Board in each year after elections have been held in the area municipalities, at which a quorum is present, the members present shall select a member to preside, and the person so selected may vote as a member, and the School Board shall organize as a board.

Certificate  
of quali-  
fication

- (3) A person entitled to be a member of the School Board under subsection 2 or 5 of section 129 shall not take his seat until he has filed with the person presiding at the first meeting a certificate under the hand of the secretary of the board of education of which he is the chairman or by which he was appointed, or of the Metropolitan Separate School Board, as the case may be, and under the seal of such board certifying that he is entitled to be a member.

Certificates  
of office

- (4) No business shall be proceeded with at the first meeting until after the certificates mentioned in subsection 3 have been filed by all the members who present themselves for that purpose.

When  
School  
Board  
deemed  
organized

- (5) The School Board shall be deemed to be organized when the certificates have been filed by at least nine members, and it may be organized and business may be proceeded with notwithstanding the failure of any of the other members to file such certificate.



131. Subject to section 130, all meetings of the School Board shall be held at such places within the Metropolitan Area and at such times as the School Board from time to time appoints. Place of meetings
- 132.—(1) Eight members of the School Board are necessary to form a quorum when the School Board is dealing with matters that affect public schools exclusively and ten members of the School Board are necessary to form a quorum in all other cases, and the concurring votes of a majority of the members of the School Board present who are entitled to vote on any matter are necessary to carry such matter. Quorum, voting
- (2) Each member of the School Board has one vote only. One vote
- (3) A member of the School Board appointed under clause *e* of subsection 2 of section 129 shall not vote or otherwise take part in any of the proceedings of the School Board exclusively affecting the public schools. Voting by separate school representatives
- 133.—(1) The members of the School Board appointed by boards of education shall hold office while they are members of their respective boards of education and until their successors take office and a new School Board is organized, provided that, if, as the result of a change in the chairmanship of a board of education, a member of the board of education who is also a member of the School Board becomes chairman of such board of education, his seat on the School Board, otherwise than as chairman of the board of education, becomes vacant, and another member of the board of education shall be appointed to fill the vacancy. Term of office
- (2) Subsection 13 of section 56 of *The Secondary Schools and Boards of Education Act* applies to the appointment of the members of the School Board by the Metropolitan Separate School Board, and such members shall hold office for three years and until their successors are appointed. Separate school representatives  
R.S.O. 1960, c. 362
- 134.—(1) When a vacancy occurs in the office of chairman, the School Board shall, at a general or special meeting to be held within twenty days after the vacancy occurs, elect as chairman one of its members to hold office for the remainder of the term of his predecessor. Vacancies, chairman
- (2) When a vacancy occurs in the office of an appointed member, other than a member appointed by the Metropolitan Separate School Board, the board of Other members



education of which he was a member shall, within fifteen days after the vacancy occurs, appoint his successor from among its members to hold office for the remainder of the term of his predecessor.

Idem

- (3) When a vacancy occurs in the office of a member appointed by the Metropolitan Separate School Board, that board shall, within fifteen days after the vacancy occurs, appoint his successor to hold office for the remainder of the term of his predecessor.

Resignation  
of chairman

- (4) Where the chairman of the School Board is a member of a board of education, he may resign his office as chairman without resigning from such board of education.

Vacancy  
due to  
absence from  
meetings

- (5) The seat of a member of the School Board shall become vacant if he absents himself from the meetings of the School Board for three consecutive months without being authorized so to do by a resolution of the School Board entered upon its minutes, and the School Board shall forthwith declare the seat to be vacant.

Powers and  
duties of  
School  
Board

135. It is the duty of the School Board and it has power,

- (a) to require each board of education within the Metropolitan Area to prepare and submit to the School Board, from time to time as the School Board may prescribe, its proposals and recommendations with respect to the provision of adequate public elementary and secondary school accommodation within its jurisdiction, and the estimated cost thereof;
- (b) to review and consolidate all such proposals, in consultation with the boards of education, the Department and the Metropolitan Council and their respective officials, and to prepare and revise from time to time a composite proposal and the recommendations of the School Board for the provision of adequate public elementary, academic secondary and vocational secondary school accommodation for the Metropolitan Area as a whole;
- (c) to submit to the Metropolitan Council from time to time the composite proposal referred to in clause *b*, together with all relevant information with respect thereto;

(d)

- (d) notwithstanding the provisions of this or any other Act, to review and to determine, in consultation with the respective boards of education, the boundaries of the attendance areas for those public elementary and secondary schools in the Metropolitan Area that are to be attended by resident pupils from more than one school section or high school district;
- (e) to appoint a director who holds a certificate of qualification as a school inspector, who shall be secretary-treasurer of the School Board, and such other officers and staff as may be deemed expedient for the purposes of the School Board, to pay their salaries and, subject to the regulations, to prescribe their duties, and to provide and pay for office accommodation, furnishings, fuel, light, stationery, equipment, insurance and miscellaneous expenses, including travelling expenses of officers and members of the School Board, if authorized by the School Board;
- (f) if deemed expedient, to pay to each member a mileage allowance not exceeding 10 cents for each mile necessarily travelled by him in going to the meetings of the School Board from his home and in returning to his home, and to pay to each member who is a member of a board of education an allowance not exceeding \$2,400 per annum and to each member appointed by the Metropolitan Separate School Board an allowance not exceeding \$1,200 per annum;
- (g) to prepare, adopt and submit each year to the Metropolitan Council, on or before such date and in such form as the Metropolitan Council may prescribe, the estimates of the School Board for the current year, separately for public elementary and for secondary school purposes, of all sums required to meet its expenditures and obligations under this Act, and such estimates,
  - (i) shall set forth the estimated revenues and expenditures of the School Board,
  - (ii) shall make due allowance for a surplus of any previous year that will be available during the current year,
  - (iii)

- (iii) shall provide for a deficit of a previous year,
- (iv) shall provide for the amounts of principal and interest payable during the current year in respect of all outstanding debentures issued for school purposes,
- (v) may provide for expenditures to be made out of current funds for permanent improvements, such expenditures not to exceed a sum calculated at two mills in the dollar upon the total assessment in the Metropolitan Area for secondary school purposes and two mills in the dollar upon the total assessment in the Metropolitan Area for public school purposes according to the last revised assessment rolls.

Application  
of R.S.O.  
1960, c. 361,  
ss. 38, 39, 41

136.—(1) Sections 38, 39 and 41 of *The Schools Administration Act* apply *mutatis mutandis* to the School Board.

#### Pensions

- (2) Where the School Board employs or has employed a person theretofore employed by a board of education in the Metropolitan Area, the employee shall be deemed to remain an employee of the board of education for the purpose of any pension plan of such board of education, and shall continue to be entitled to all rights and benefits thereunder as if he had remained as an employee of the board of education, until the School Board has provided a pension plan for its employees and such employee has elected, in writing, to participate therein.

#### Idem

- (3) Until such election, the School Board shall deduct by instalments from the remuneration of the employee the amount that such employee is required to pay in accordance with the provisions of the plan of the board of education, and the School Board shall pay to the board of education in instalments,
  - (a) the amounts so deducted; and
  - (b) the future service contributions payable under the plan by the board of education.

Sick leave  
credits

- (4) Where the School Board employs or has employed a person theretofore employed by a board of education in the Metropolitan Area, the employee shall be

deemed

deemed to remain an employee of the board of education for the purposes of any sick leave credit plan of such board of education until the School Board has established a sick leave credit plan for its employees, whereupon the School Board shall place to the credit of the employee the sick leave credits standing to his credit in the plan of the board of education.

- 137.—(1) The Metropolitan Corporation shall pay to the School Board, in monthly instalments, the moneys required by the School Board as shown in its estimates submitted under clause g of subsection 1 of section 135, except the moneys required for the purposes of subclauses iv and v of such clause, and the moneys required for the purposes of such subclause v shall be paid to the School Board from time to time as required. Payment by Metropolitan Corporation
- (2) The School Board shall pay to each board of education in the Metropolitan Area, in monthly instalments, the moneys required by such board of education as shown in its estimates approved by the School Board, except moneys approved for permanent improvements, which shall be paid to such board of education from time to time as required, but the total of such monthly payments shall be reduced by the amounts, if any, that are deducted from the legislative grants for payment to the Teachers' Superannuation Fund and the Canada Pension Plan on behalf of the teachers employed by that board of education. Payment by School Board to boards of education
- 138.—(1) The special and general legislative grants, which but for this Act would be payable to boards of education in the Metropolitan Area, shall be calculated as provided in the regulations. Legislative grants
- (2) The special and general legislative grants, except those paid to boards of education under subsection 3, shall be paid to the School Board. Grants payable to School Board
- (3) The legislative grants in respect of expenditures made by a board of education for the construction of classrooms and for items eligible for stimulation grants, to the extent that such expenditures were approved by the Minister and raised entirely by levies under subsection 5 of section 139 in the area municipality in which such board of education has jurisdiction, shall be paid to the board of education. Grants payable to boards of education



Estimates  
of boards  
of education

139.—(1) Each board of education in the Metropolitan Area, instead of submitting to a municipal council its annual estimates as provided by law, shall prepare, adopt and submit each year to the School Board, on or before such date and in such form as the School Board may prescribe, its estimates for the current year, separately for public elementary and for secondary school purposes, of all sums required during the year for the purposes of the board of education, and such estimates,

- (a) shall set forth the estimated revenues and expenditures of the board of education;
- (b) shall make due allowance for a surplus of any previous year that will be available during the current year;
- (c) shall provide for a deficit of any previous year;
- (d) may provide for expenditures to be made out of current funds for permanent improvements.

Approval of  
estimates  
by School  
Board

(2) Upon receipt by the School Board of the estimates of all the boards of education in the Metropolitan Area, the School Board shall consider the estimates, having regard to the limit upon the amount that it may include in its estimates for expenditures for permanent improvements out of current funds, and approve such estimates in whole or in part, and shall notify each such board of education of the extent to which its estimates have been approved by the School Board.

Idem

(3) In considering such estimates, the School Board shall endeavour to provide for all boards of education in the Metropolitan Area, having regard to their varying needs, the funds necessary for an educational programme throughout the Metropolitan Area.

Estimates to  
council of  
area muni-  
cipality

(4) If the estimates of a board of education are not approved in whole by the School Board, the board of education may submit to the council of the area municipality in which it has jurisdiction, within twenty days after notice is given pursuant to subsection 2, its estimates made up as provided for in subsection 1, except that such estimates shall include and make due allowance for the revenues to be derived from the School Board pursuant to the estimates approved by the School Board, provided

that,



that, before submitting such estimates to the council, the board of education shall revise the estimates, if necessary, so that the difference between,

- (a) the aggregate estimates of all sums required for public elementary school purposes and the aggregate of the revenues for such purposes to be derived from the School Board pursuant to the estimates approved by the School Board shall not exceed a sum calculated at one and one-half mills in the dollar upon the total assessment in the area municipality for public school purposes according to the last revised assessment roll; and
  - (b) the aggregate estimates of all sums required for secondary school purposes and the aggregate of the revenues for such purposes to be derived from the School Board pursuant to the estimates approved by the School Board shall not exceed a sum calculated at one mill in the dollar upon the total assessment in the area municipality for secondary school purposes according to the last revised assessment roll.
- (5) The council of each area municipality shall levy <sup>Local</sup>levy and collect each year and transfer to the board of education for that area municipality from time to time as required, but not later than the 15th day of December, such sums as may be required by the board of education for its purposes during the year in accordance with its estimates submitted to the council pursuant to subsection 4.
- (6) The amount required to be raised by the council of <sup>Idem</sup>each area municipality under subsection 5,
- (a) for public school purposes, shall be raised by levy upon the whole rateable property rateable for public school purposes; and
  - (b) for secondary school purposes, shall be raised by levy upon the whole rateable property rateable for secondary school purposes, within the area municipality according to the last revised assessment roll thereof.
- (7) If the estimates of a board of education are not <sup>Appeal to</sup>approved in whole by the School Board, the board of <sup>O.M.B.</sup>education may, within fifteen days after notice is

given

given pursuant to subsection 2, appeal to the Municipal Board, provided that any amount in issue in such an appeal shall not be included in its estimates under subsection 4.

Powers of  
O.M.B.

- (8) The Municipal Board shall conduct a public hearing of every such appeal upon such notice as it may deem proper and may dismiss the appeal or may by order require the School Board to provide additional funds to the board of education to an extent not exceeding the amounts in issue in such appeal, and, in considering any such appeal, the Municipal Board shall have regard amongst other things to the matters referred to in subsections 2 and 3.

Where order  
requires  
additional  
funds to be  
provided

- (9) If an order of the Municipal Board requiring the School Board to provide additional funds to a board of education,

(a) is issued in any year before the estimates of the School Board for such year are submitted to the Metropolitan Council, the School Board shall include in its estimates for that year the amount required to be paid pursuant to the order; or

(b) is issued in any year after the estimates of the School Board for such year are submitted to the Metropolitan Council, the Metropolitan Council shall advance to the School Board the amount required to be paid pursuant to the order and may borrow money from time to time by way of promissory note for such purpose, and the School Board shall include in its estimates for the next succeeding year the amount required to repay such advance and the interest charges on any amounts borrowed by the Metropolitan Council for the purpose of making such advance.

Order,  
terms and  
conditions

- (10) The Municipal Board may issue an order under subsection 8 upon such terms and conditions, including terms and conditions with respect to the use of the funds to be paid to the board of education thereunder, as the Municipal Board deems appropriate.

School  
debenture  
liability

- 140.—(1) On and after the 1st day of January, 1954, the Metropolitan Corporation shall pay to each area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debentures issued by the area municipality for public or secondary school purposes.

- (2) If the Metropolitan Corporation fails to make any payment as required by subsection 1, the area municipality may charge the Metropolitan Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.
- (3) In the event of any doubt as to whether any outstanding debenture or portion thereof was issued for public or secondary school purposes, the Municipal Board, upon application, may determine the matter, and its decision is final.
141. Notwithstanding any order of the Municipal Board or any debenture by-law passed pursuant thereto, all amounts of principal and interest becoming due on and after the 1st day of January, 1967, with respect to any debentures issued for public or secondary school purposes by the Metropolitan Corporation since the 1st day of January, 1954, or issued hereafter, shall be repaid by levies against all the area municipalities.
- 142.—(1) Notwithstanding the provisions of this or any other Act, no board of education in the Metropolitan Area,
- (a) shall discontinue the operation and maintenance of any school under its jurisdiction; or
  - (b) shall sell, lease or otherwise dispose of any school site or school building, or any item of school property the cost of which was financed in whole or in part by the issue of debentures,
- without the approval of the School Board.
- (2) Where a board of education sells, leases or otherwise disposes of any school site or school building in accordance with clause *b* of subsection 1, it shall pay the proceeds of such sale to the School Board.
- (3) The School Board shall use the proceeds of the disposal of property paid to it under subsection 2 only for permanent improvements,
- (a) if such property was used for public school purposes, for public school purposes; or
  - (b) if such property was used for secondary school purposes, for secondary school purposes.

Transfer of  
public school  
property to  
secondary  
school  
purposes and  
vice versa

143. A board of education with the approval of the School Board may transfer property that was acquired for public school purposes to secondary school purposes or vice versa, and, where property is so transferred, the transfer shall be made effective on the 1st day of January in any year and the principal and interest on any debentures issued with respect to such property to be raised in that year and subsequent years by levy shall be raised by levy on the whole rateable property rateable for the purposes to which such property is transferred.

Application  
for  
debentures  
for school  
purposes  
R.S.O. 1960,  
c. 361

- 144.—(1) Where a board of education in the Metropolitan Area desires that the sums required for permanent improvements as defined in paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall be raised by the issue and sale of debentures, it may apply to the School Board and it shall at the same time deliver a copy of such application to the clerk of the Metropolitan Corporation.

Idem

- (2) The application shall state the purpose of the proposed borrowing, the nature and the estimated cost of the proposed work or project.

Disposition  
of applica-  
tion by  
School  
Board

- (3) The School Board, at its first meeting after receiving the application or as soon thereafter as possible, shall consider and approve or disapprove the application, and the secretary of the School Board shall forward a certified copy of its resolution in respect of the application to the secretary of the applicant board of education and to the clerk of the Metropolitan Corporation.

Renovation  
of school  
buildings

- (4) A board of education in the Metropolitan Area may renovate any school buildings under its jurisdiction and the same shall be deemed permanent improvements for the purposes of this Act.

Disposition  
of applica-  
tion by  
Metro-  
politan  
Council

- 145.—(1) The Metropolitan Council, after the application referred to in section 144 has been dealt with by the School Board, shall consider and approve or disapprove the application, and the clerk of the Metropolitan Corporation shall thereupon give notice of the decision of the Metropolitan Council to the secretary of the applicant board of education and to the secretary of the School Board.

Application  
to Municipal  
Board  
R.S.O. 1960,  
c. 274

- (2) If the Metropolitan Council approves the application, it shall apply to the Municipal Board for its approval under section 64 of *The Ontario Municipal Board Act* and, if the Municipal Board approves, the



Metropolitan Council shall pass a by-law authorizing the borrowing of money by the issue and sale of debentures of the Metropolitan Corporation for the purposes stated in the application.

- (3) Where the Metropolitan Council disapproves the application, the applicant board of education or the School Board may appeal to the Municipal Board for an order requiring the Metropolitan Council to pass a by-law for borrowing money by the issue and sale of debentures for the purpose or purposes stated in the application. <sup>Appeal</sup>

- (4) The Municipal Board shall conduct a public hearing of every such appeal upon such notice as it may deem proper, and may dismiss the appeal or may by order require the Metropolitan Council to pass the by-law mentioned in subsection 3, and the decision of the Municipal Board on such appeal is final. <sup>Public hearing</sup>

145a.—(1) At the request of the School Board, an application may be made by the Metropolitan Council to the Municipal Board for approval by the Municipal Board of expenditures and the borrowing of money and the issuing of debentures for the undertaking of any permanent improvements as defined in paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* or in subsection 4 of section 144 of this Act without specifying particular sites and projects, and the Municipal Board may dismiss the application or may approve part or all thereof, provided that no board of education in the Metropolitan Area shall make any commitment for the acquisition of a site or the undertaking of a project to be financed under an order of the Municipal Board made on such an application until the School Board has approved the cost of such acquisition or undertaking and the treasurer of the Metropolitan Corporation has certified that funds can be provided under such order in payment thereof. <sup>Application to O.M.B. R.S.O. 1960, c. 361</sup>

- (2) In any order made under this section, the Municipal Board may impose such terms and conditions as it may see fit and may permit preliminary expenditures by a board of education in the Metropolitan Area, including expenditures for the preparation of surveys, architects' plans, appraisals and other expenditures that may be necessary for the calling of tenders, prior to the approval of the School Board and the certificate of the treasurer referred to in subsection 1. <sup>Order</sup>



## Approval

R.S.O. 1960,  
c. 274

- (3) The approval of the Municipal Board provided for in this section shall be deemed to be the approval of the Municipal Board required by section 64 of *The Ontario Municipal Board Act* and sections 144 and 145 of this Act for any site acquired or project carried out under and in accordance with such order.

Acquisition  
of school  
sites by  
School  
Board

- 146.—(1) If it appears to the School Board that the erection of a school for pupils from more than one school section or high school district in the Metropolitan Area is or will be desirable, the School Board may acquire land for the school site by purchase or otherwise or by expropriation.

## Borrowing

- (2) The Metropolitan Council may borrow money at the request of the School Board for the purpose of acquiring land under subsection 1, and the School Board shall pay the interest charges on the amount borrowed as they fall due and shall repay the principal sum within five years from the date it was made available to it.

Transfer to  
board of  
education

- (3) Upon being reimbursed for all expenses, including interest charges on money borrowed under subsection 2, actually incurred in acquiring and holding the land less any revenue received therefrom, the School Board may convey the land to a board of education having jurisdiction in one of the school sections or high school districts from which pupils will attend the school when erected.

## Disposition

- (4) The School Board may sell land acquired under subsection 1 if it appears to the School Board that such land will not be required for the erection of a school and may lease or rent such land at any time if it appears to the School Board that it is not immediately so required.

Application  
of 1962-63,  
c. 43,  
to expro-  
priation

- (5) *The Expropriation Procedures Act, 1962-63* applies to the expropriation of land under this section and to the compensation to be paid for land so expropriated.

Certain  
school  
boards  
and districts  
exempted

R.S.O. 1960,  
cc. 330, 362

- 147.—(1) Nothing in this Act affects any public school board or public school section within the Metropolitan Area heretofore or hereafter established by the Minister under section 12 of *The Public Schools Act* or any high school board or high school district within the Metropolitan Area hereafter established by the Minister under subsection 5 of section 12 of *The Secondary Schools and Boards of Education Act*.

- (2) The School Board shall be deemed to be a board with-  
in the meaning of *The Teachers' Superannuation Act*.

Application  
of R.S.O.  
1960, c. 392

- 148.—(1) A board of education in the Metropolitan Area shall not admit to a secondary school operated by it any pupil who is not a resident pupil without prior approval of the School Board.

Admission  
of non-  
resident  
pupils

- (2) Where a child,

- (a) who is a ward in the care of The Metropolitan Toronto Children's Aid Society or whose mother is his sole support; and

Rights of  
wards of  
Children's  
Aid Society  
to attend  
school

- (b) who has the right to attend a public or secondary school in an area municipality without payment of a fee,

resides in the Metropolitan Area, he has the same right to attend a school without payment of a fee as he would have if his residence was that of his parents or guardians, and, if he does so attend, he shall be deemed for all purposes to be a resident pupil of the school section or high school district in which he resides.

- 149.—(1) The council of any area municipality may grant aid to the board of education for the area municipality to pay in whole or in part for the construction by the board of education of indoor or outdoor swimming pools on the property of the board of education.

Swimming  
pools on  
school  
property

- (2) An area municipality and the board of education thereof may enter into agreements with respect to the construction, control, operation, maintenance and repair of such swimming pools and with respect to the operation and use of such swimming pools, except during school hours, by the area municipality.

Agreements

- (3) The council of an area municipality may charge fees for the use of or admission to such swimming pools while the operation and use of the pools is under the control of the area municipality.

Fees

- (4) The Metropolitan Corporation may issue debentures for the purposes of any undertaking under this section.

Debentures

- 149a. Insurance placed by a board of education on its property shall be deemed to have been placed on its

Insurance  
on school  
property

own behalf and on behalf of the School Board, and any proceeds of such insurance shall,

(a) if requested by the School Board, be paid to the School Board; and

(b) be used in the manner provided in subsection 3 of section 142.

R.S.O. 1960,  
c. 260,  
amended

**13.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following Part:

## PART VII-A

### REGIONAL LIBRARY BOARD

Interpre-  
tation

149b. In this Part,

(a) "area board" means a public library board established for an area municipality;

(b) "Library Board" means the Metropolitan Toronto Library Board.

Metro-  
politan  
Toronto  
Library  
Board

149c.—(1) There is hereby established a regional library board, which is a corporation, under the name of "Metropolitan Toronto Library Board", composed of,

(a) one person appointed by the council of each area municipality who shall be a resident in the area municipality and who may be a member of a public library board;

(b) the chairman of the Metropolitan Council;

(c) one person appointed by The Metropolitan Toronto School Board who shall be a resident in the Metropolitan Area; and

(d) one person appointed by the Metropolitan Separate School Board who shall be a resident in the Metropolitan Area.

Time of  
appointment

(2) Appointments of members of the Library Board shall be made in the month of January, 1967, and in the month of January in every third year thereafter.

Term of  
office

(3) The appointed members of the Library Board shall hold office for a three-year term and until their successors are appointed.

- (4) Vacancies arising from any cause shall be filled forthwith by the appointing body, and the person appointed to fill the vacancy shall hold office for the unexpired term of the person whose place has become vacant. Vacancies
- (5) The chairman of the Metropolitan Council may designate any member of the Metropolitan Council to be his delegate at any or all of the meetings of the Library Board. Chairman may appoint delegate
- (6) The Library Board, from among its members, shall elect a chairman and may elect a vice-chairman, and a majority of the members of the Library Board constitutes a quorum. Chairman and quorum
- (7) Except as otherwise provided in this Act, the Library Board with respect to the Metropolitan Area shall be deemed to be a board of a regional library system under *The Public Libraries Act, 1966*, 1966, c. 128 and may make grants in aid of capital or current expenditures to any area board for the provision of central or regional reference library services. Powers of Library Board
- (8) The Library Board shall submit annually to the Metropolitan Council an estimate of its financial requirements for the year, and the Metropolitan Council may amend such estimate and shall pay to the Library Board out of the moneys appropriated for the Library Board such amounts as may be requisitioned from time to time. Finances
- (9) The Library Board may, Power to acquire land
- (a) with the approval of the Metropolitan Council, acquire by purchase, lease or otherwise any land required for its purposes and sell, lease or otherwise dispose of any land or buildings when no longer required for its purposes; and
- (b) erect, maintain and repair buildings on its lands and make additions to or alterations of such buildings.
- (10) The power of the Metropolitan Corporation to acquire land for the purposes of the Metropolitan Corporation includes the power to acquire land for the purposes of the Library Board. Power of Metropolitan Corporation to acquire land
- (11) All claims, actions and demands arising from or relating to the operations of the Library Board or Actions, etc., against Library Board



the exercise of any of its powers shall be made upon and brought against the Library Board and not upon or against the Metropolitan Corporation.

Idem

- (12) The Library Board may sue and be sued in its own name.

Assumption  
of lands and  
buildings

- 149*d*.—(1) At the request of the Library Board, the Metropolitan Council may, after the 1st day of January, 1967, pass by-laws assuming on behalf of the Library Board any land or building that the Library Board requires for its purposes that is vested on the 31st day of March, 1966, in any area municipality or area board and that is used on such day for public library purposes, and on the day any such by-law becomes effective the property designated therein vests in the Library Board.

Sale by  
area muni-  
cipality or  
area board  
limited

- (2) No area municipality or area board, after the 31st day of March, 1966, shall, without the consent of the Metropolitan Council until the Library Board is organized and thereafter without the consent of the Library Board, sell, lease or otherwise dispose of or encumber any land or building that is used for public library purposes.

Buildings  
used for  
other  
purposes

- (3) Where any part of a building mentioned in subsection 1 is used by the area municipality or area board for purposes other than those for which the Library Board was established, the Metropolitan Council may, at the request of the Library Board,

(a) where practicable, assume on behalf of the Library Board only the part of the building and land appurtenant thereto used for purposes similar to those for which the Library Board was established; or

(b) assume on behalf of the Library Board the whole building and land appurtenant thereto, and the Library Board may enter into an agreement with the area municipality or area board for the use of a part of the land or building by such area municipality or area board on such terms and conditions as may be agreed upon.

Liability of  
Metro-  
politan  
Corporation

- (4) Where the Metropolitan Corporation assumes any property under subsection 1 or 3,

(a)



- (a) no compensation or damage shall be payable to the area municipality or area board except as provided in this subsection;
  - (b) the Metropolitan Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due thereafter upon any outstanding debentures issued by the area municipality in respect of any property vested in the Library Board under subsection 1 or 3;
  - (c) notwithstanding any order of the Municipal Board or any debenture by-law passed pursuant thereto, all amounts of principal and interest becoming due thereafter with respect to any debentures theretofore issued by the Metropolitan Corporation on behalf of such area municipality in respect of any property vested in the Library Board under subsection 1 or 3 shall be repaid by levies against all the area municipalities;
  - (d) the Metropolitan Corporation shall thereafter pay to the area municipality or area board, for the portion of any land or building vested in the Library Board under this section that is not used, on the 31st day of March, 1966, for purposes similar to those for which the Library Board was established, such amount as may be agreed upon, and, failing agreement, the Municipal Board, upon application, may determine the amount, and its decision is final, provided that such amount shall not be greater than the capital expenditure for such portion of the land or building less the amount of any outstanding debentures in respect of such portion.
- (5) If the Metropolitan Corporation fails to make any <sup>Default</sup> payment as required by clause *b* of subsection 4, the area municipality may charge the Metropolitan Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.
- (6) At the request of the Library Board, each area municipality or area board shall transfer to the Library Board for its use without compensation all <sup>Transfer of personal property</sup> personal property, including books, periodicals, newspapers,

manuscripts, pictures, films, recordings and catalogues in the possession of the area municipality or area board at any time during the period between the 31st day of March, 1966, and the 1st day of January, 1968, that was provided for purposes similar to those for which the Library Board was established.

Disposal of  
personal  
property  
limited

- (7) No area municipality or area board during the period referred to in subsection 6 shall, without the consent of the Metropolitan Council until the Library Board is organized and thereafter without the consent of the Library Board, dispose of any personal property referred to in subsection 6.

Settling of  
doubts

- (8) In the event of any doubt as to whether,
- (a) any outstanding debenture or portion thereof was issued in respect of any property assumed; or
  - (b) any personal property referred to in subsection 6 was used for purposes similar to those for which the Library Board was established,

the Municipal Board, upon application, may determine the matter and its decision is final.

R.S.O. 1960,  
c. 260,  
Part VIII  
(s. 149),  
repealed;  
(ss. 150,  
151),  
re-enacted

**14.** Part VIII of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

## PART VIII

### AREA MUNICIPALITIES

Area muni-  
cipalities,  
formed or  
continued

150.—(1) On the 1st day of January, 1967,

- (a) the Township of East York and the Town of Leaside are amalgamated as a township municipality the inhabitants of which are a body corporate under the name of The Corporation of the Borough of East York;
- (b) the Township of Etobicoke, the Village of Long Branch, the Town of Mimico and the Town of New Toronto are amalgamated as a township municipality the inhabitants of which are a body corporate under the name of The Corporation of the Borough of Etobicoke;

(c)

- (c) the Township of North York is continued as a township municipality the inhabitants of which are a body corporate under the name of The Corporation of the Borough of North York;
- (d) the Township of Scarborough is continued as a township municipality the inhabitants of which are a body corporate under the name of The Corporation of the Borough of Scarborough;
- (e) the City of Toronto, the Village of Forest Hill and the Village of Swansea are amalgamated as a city municipality the inhabitants of which are a body corporate under the name of The Corporation of the City of Toronto;
- (f) the Township of York and the Town of Weston are amalgamated as a township municipality the inhabitants of which are a body corporate under the name of The Corporation of the Borough of York.
- (2) For the purposes of every Act, the municipalities amalgamated by this section shall be deemed to have been amalgamated by orders of the Municipal Board, not subject to section 42 of *The Ontario Municipal Board Act* or to petition or appeal under section 94 or 95 of such Act, made on the day this section comes into force pursuant to applications made under section 14 of *The Municipal Act*, and, subject to the provisions of this Act, the Municipal Board, upon the application of any area municipality or local board thereof or of its own motion, may exercise its powers consequent upon such amalgamations, and sections 94 and 95 of *The Ontario Municipal Board Act* do not apply to decisions or orders made in the exercise of such powers. Amalgamations deemed by orders of O.M.B. R.S.O. 1960, c. 274
- (3) The area municipalities are municipalities in the County of York separated therefrom for municipal purposes. Area municipalities separated for municipal purposes R.S.O. 1960, c. 249
- (4) The provisions of any special Act, in so far as they are not inconsistent with any of the provisions of this Act, relating to the City of Toronto, the Township of East York, the Township of Etobicoke or the Township of York shall apply to the whole of the new city or borough formed under subsection 1 of which it forms a part. Application of special Acts

Idem

(5) The provisions of any special Act, in so far as they are not inconsistent with any of the provisions of this Act, relating to,

(a) the Village of Forest Hill or the Village of Swansea, shall continue to apply to the part of the City of Toronto formerly in the Village of Forest Hill or the Village of Swansea except where they are in conflict with any special Act relating to the City of Toronto;

(b) the Town of Leaside, shall continue to apply in the part of the Borough of East York formerly in the Town of Leaside except where they are in conflict with any special Act relating to the Township of East York;

(c) the Town of Mimico, the Town of New Toronto or the Village of Long Branch, shall continue to apply in the part of the Borough of Etobicoke formerly in the Town of Mimico, the Town of New Toronto or the Village of Long Branch except where they are in conflict with any special Act relating to the Township of Etobicoke;

(d) the Town of Weston, shall continue to apply in the part of the Borough of York formerly in the Town of Weston except where they are in conflict with any special Act relating to the Township of York.

Provisions  
respecting  
council  
repealed

(6) Notwithstanding subsections 1 and 2, on the 1st day of January, 1967, the provisions of any special Act respecting the composition of council relating to any area municipality are repealed.

Council,  
composition

151.—(1) On and after the 1st day of January, 1967, the council of each area municipality shall be composed of,

(a) a mayor elected by general vote who shall be the head of council; and

(b) a board of control, if at any time the area municipality has such a board; and

(c)



(c) aldermen as follows:

- (i) if elected by general vote, not fewer than four aldermen, or
  - (ii) if elected by wards and the area municipality has four or more wards, one, two or three aldermen for each ward, or, if the area municipality has fewer than four wards, two or three aldermen for each ward.
- (2) The Borough of East York shall be deemed to have a population of not less than 100,000 for the purposes of section 202 of *The Municipal Act*. East York board of control  
R.S.O. 1960, c. 249
- (3) After this section comes into force, the council of the Township of North York and the council of the Township of Scarborough, and, after the 1st day of January, 1967, the council of any area municipality, may pass by-laws providing for the composition of its council in accordance with subsection 1. Power to pass by-laws
- (4) A by-law under this section, and a by-law amending or repealing any such by-law, shall be passed not later than the 1st day of November in the year in which an election is to be held and shall not be passed unless it has received the approval of the Municipal Board. Time for passing, approval of O.M.B.
- (5) Every such by-law, including an amending or repealing by-law, shall take effect at and for the purposes of the triennial election next after its passing. Effective date

**15.** Sections 152, 153 and 154 of *The Municipality of Metropolitan Toronto Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 260, ss. 152-154, re-enacted

- 152.—(1) In this section, “public welfare purposes” Interpretation includes any purpose in respect of which any obligation is imposed or power is conferred on the Metropolitan Corporation in relation to matters referred to in this Part.
- (2) The Metropolitan Council may pass by-laws, which shall not become effective before the 1st day of January, 1967, assuming any land or building that it requires for public welfare purposes that is vested on the 31st day of March, 1966, in any area municipality and that is used on such day primarily for

public



public welfare purposes, and on the day any such by-law becomes effective the property designated therein vests in the Metropolitan Corporation.

Sale by  
area muni-  
cipality  
limited

- (3) No area municipality, after the 31st day of March, 1966, and before the 1st day of January, 1967, shall without the consent of the Metropolitan Council sell, lease or otherwise dispose of or encumber any land or building that is used primarily for public welfare purposes.

Buildings  
used for  
other  
purposes

- (4) Where any part of a building mentioned in subsection 2 is used by the area municipality or a local board thereof for purposes other than public welfare purposes, the Metropolitan Council may,

(a) where practicable, assume only the part of the building and land appurtenant thereto used for public welfare purposes; or

(b) assume the whole building and land appurtenant thereto, and enter into an agreement with the area municipality or a local board thereof for the use of a part of the land or building by such area municipality or local board on such terms and conditions as may be agreed upon.

Liability of  
Metro-  
politan  
Corporation

- (5) Where the Metropolitan Corporation assumes any property under subsection 2 or 4,

(a) no compensation or damage shall be payable to the area municipality except as provided in this subsection;

(b) the Metropolitan Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due thereafter upon any outstanding debentures issued by the area municipality in respect of any property vested in the Metropolitan Corporation under subsection 2 or 4;

(c) notwithstanding any order of the Municipal Board or any debenture by-law passed pursuant thereto, all amounts of principal and interest becoming due thereafter with respect to any debentures theretofore issued by the Metropolitan Corporation on behalf of such area municipality in respect of any property

vested

vested in the Metropolitan Corporation under subsection 2 or 4 shall be repaid by levies against all the area municipalities;

- (d) the Metropolitan Corporation shall thereafter pay to the area municipality for the portion of any land or building vested in the Metropolitan Corporation under this section that is not used, on the 31st day of March, 1966, for public welfare purposes such amount as may be agreed upon, and, failing agreement, the Municipal Board, upon application, may determine the amount, and its decision is final, provided that such amount shall not be greater than the capital expenditure for such portion of the land or building less the amount of any outstanding debentures in respect of such portion.
- (6) If the Metropolitan Corporation fails to make any <sup>Default</sup> payment as required by clause *b* of subsection 5, the area municipality may charge the Metropolitan Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.
- (7) Where a building vested in an area municipality <sup>Accom-</sup> or local board is used partly for public welfare <sup>modation</sup> purposes and is not vested in the Metropolitan Corporation under this section, the area municipality or local board at the request of the Metropolitan Council shall provide, at such rental as may be agreed upon, at least as much accommodation in such building for the use of the Metropolitan Corporation as was being provided by the area municipality for public welfare purposes on the 31st day of March, 1966.
- (8) At the request of the Metropolitan Council, each <sup>Transfer of</sup> area municipality, for the use of the Metropolitan <sup>personal</sup> Corporation, <sup>property</sup>
- (a) shall transfer to the Metropolitan Corporation without compensation all office supplies and stationery in the possession of the area municipality on the 31st day of December, 1966, that was provided exclusively for public welfare purposes; and

(b)

- (b) shall transfer to the Metropolitan Corporation without compensation all personal property with the exception of office supplies and stationery in the possession of the area municipality on the 31st day of March, 1966, or thereafter that was provided exclusively for public welfare purposes.

Disposal of  
personal  
property

- (9) No area municipality, without the consent of the Metropolitan Council, shall dispose of any personal property referred to in clause *b* of subsection 8.

Settling of  
doubts

- (10) In the event of any doubt as to whether,
- (a) any outstanding debenture or portion thereof was issued in respect of any property assumed;  
or
- (b) any land or building referred to in subsection 2 was used primarily for public welfare purposes,

the Municipal Board, upon application, may determine the matter and its decision is final.

Liability of  
Metro-  
politan  
Corporation  
under  
R.S.O. 1960,  
cc. 14, 173,  
236, 425;  
1966, c. 37

153. For the purposes of the following Acts, the Metropolitan Corporation shall be deemed to be a city and no area municipality shall be deemed to be a municipality:

*The Anatomy Act,*  
*The Day Nurseries Act, 1966,*  
*The Homemakers and Nurses Services Act,*  
*The Mental Hospitals Act,*  
*The War Veterans Burial Act.*

Liability  
for hospital-  
ization of  
indigents  
R.S.O. 1960,  
c. 322

154. The Metropolitan Corporation shall be deemed to be a city for all the purposes of the provisions of *The Public Hospitals Act* respecting the hospitalization and burial of indigent persons and their dependants, and no area municipality has any liability under such provisions.

R.S.O. 1960,  
c. 260, s. 157,  
subss. 2, 3,  
re-enacted;  
subss. 4, 5,  
repealed

16. Subsections 2, 3, 4 and 5 of section 157 of *The Municipality of Metropolitan Toronto Act* are repealed and the following substituted therefor:

Time for  
payment

- (2) Payment under subsection 1 shall be made quarterly by the Metropolitan Corporation upon receipt of detailed accounts in respect of the quarter, together with such information as the Metropolitan Council may require.

- (3) For the purposes of Part IV, except subsection 1 of section 37, of *The Sanatoria for Consumptives Act*, the Metropolitan Corporation shall be deemed to be a local municipality and no area municipality shall be deemed to be a local municipality.
- Liability of Metro-politan Corporation under R.S.O. 1960, c. 359, Part IV

17. Clause *b* of subsection 2 of section 159 of *The Municipality of Metropolitan Toronto Act* is amended by striking out "or the welfare officer of the area municipality in which the applicant resides at the time of his application" in the third, fourth and fifth lines, so that the clause shall read as follows:

R.S.O. 1960, c. 260, s. 159, subs. 2, cl. b, amended

- (b) the statement in the prescribed form referred to in clause *h* of that section shall be signed by the welfare officer of the Metropolitan Corporation.

18. Section 164 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

R.S.O. 1960, c. 260, s. 164, re-enacted

164. The Metropolitan Corporation shall be deemed to be a city for the purposes of subsection 2 of section 45 of *The Child Welfare Act, 1965* and no area municipality shall be deemed to be a municipality for the purposes of such Act.
- Liability of Metro-politan Corporation under 1965, c. 14

19. Section 164*a* of *The Municipality of Metropolitan Toronto Act*, as enacted by section 6 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960, c. 260, s. 164*a* (1965, c. 81, s. 6), re-enacted

- 164*a*. For the purposes of subsection 2 of section 20 of the *Juvenile Delinquents Act* (Canada), the Metropolitan Corporation shall be deemed to be a municipality and no area municipality shall be deemed to be a municipality.
- Liability of Metro-politan Corporation under R.S.O. 1952, c. 160

20. Sections 166 and 167 of *The Municipality of Metropolitan Toronto Act* are repealed and the following substituted therefor:

R.S.O. 1960, c. 260, s. 166, re-enacted; s. 167, repealed

166. For the purposes of *The General Welfare Assistance Act*, the Metropolitan Corporation shall be deemed to be a city and no area municipality shall be deemed to be a municipality for the purposes of such Act, except sections 2 and 3 thereof.
- Liability of Metro-politan Corporation under R.S.O. 1960, c. 164

21. Section 168 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

R.S.O. 1960, c. 260, s. 168, re-enacted



Area municipalities not liable under 1965, c. 132

168. No area municipality shall be deemed to be a municipality for the purposes of *The Training Schools Act, 1965*.

R.S.O. 1960, c. 260, s. 169a (1962-63, c. 89, s. 9), repealed

**22.** Section 169a of *The Municipality of Metropolitan Toronto Act*, as enacted by section 9 of *The Municipality of Metropolitan Toronto Amendment Act, 1962-63*, is repealed.

R.S.O. 1960, c. 260, s. 170, re-enacted

**23.** Section 170 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

Information

170. Every area municipality and every officer or employee thereof shall, at the request of the welfare officer of the Metropolitan Corporation, furnish forthwith to such officer any information he may require for public welfare purposes as defined in subsection 1 of section 152.

R.S.O. 1960, c. 260, s. 171, amended

**24.** Section 171 of *The Municipality of Metropolitan Toronto Act* is amended by striking out "167" in the second line.

Liability of area municipality re welfare services provided before Jan. 1, 1967

**25.** Nothing in sections 15, 16, 18, 19, 20, 21 and 22 relieves any area municipality from any liability in respect of any maintenance or welfare service provided before the 1st day of January, 1967, or the cost thereof.

R.S.O. 1960, c. 260, Part IX, amended

**26.** Part IX of *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Ambulance services

172b.—(1) The Metropolitan Council may,

- (a) acquire, maintain and operate ambulances for the conveyance of persons requiring medical attention to a hospital or other place, and fix and charge fees therefor;
- (b) enter into an agreement with any person for a period not exceeding five years to maintain and operate ambulances for the purpose of conveying persons requiring medical attention to a hospital or other place at such rates or charges and on such other terms and conditions, including the payment of an annual subsidy to such person, as may be agreed upon;
- (c) establish, maintain and operate a central ambulance dispatching system for the Metropolitan Area, and enter into an agreement with any person for a period not exceeding



five years for such purposes on such terms and conditions as may be agreed upon;

- (d) provide for payment by the Metropolitan Corporation to owners of ambulances of charges for making calls as directed through such central ambulance dispatching system and provide for the recovery of such charges by the Metropolitan Corporation.
- (2) On and after the 1st day of January, 1967, no area municipality or local board of health thereof shall exercise any of its powers under paragraph 88b or 88c of subsection 1 of section 379 of *The Municipal Act* or section 29 of *The Public Health Act* without the consent of the Metropolitan Council. Powers of area municipalities R.S.O. 1960, cc. 249, 321
- (3) The Metropolitan Council shall, before the 1st day of January, 1967, pass by-laws, which shall be effective on the 1st day of January, 1967, assuming for the use of the Metropolitan Corporation any ambulance and any personal property used in connection therewith that the Metropolitan Corporation may require for the purposes of subsection 1 that is vested on the 31st day of March, 1966, in any area municipality or local board of health thereof, and on the day any such by-law becomes effective the property designated therein vests in the Metropolitan Corporation and no compensation or damage shall be payable in respect of such property. Assumption of ambulances
- (4) No area municipality and no local board of health thereof, after the 31st day of March, 1966, and before the 1st day of January, 1967, shall without the consent of the Metropolitan Council sell, lease or otherwise dispose of or encumber any property mentioned in subsection 3. Sale by area municipalities limited
- (5) Notwithstanding subsection 3, a by-law for assuming any property under subsection 3, with the approval of the Municipal Board, may be passed after the 1st day of January, 1967, and in that case the by-law shall become effective on the date provided therein. Extension of time
- (6) On the 1st day of January, 1967, the Metropolitan Corporation shall assume and become liable for the obligations and entitled to the benefits, Assumption of agreements
  - (a) of any area municipality under any agreement entered into pursuant to paragraph 88c of subsection 1 of section 379 of *The Municipal Act*; and R.S.O. 1960, c. 249

(b)

- (b) of any local board of health of an area municipality under any agreement entered into pursuant to section 29 of *The Public Health Act*,

R.S.O. 1960,  
c. 321

and no area municipality or local board of health thereof, after the 31st day of March, 1966, shall without the consent of the Metropolitan Council enter into any such agreement.

R.S.O. 1960,  
c. 260, s. 211,  
amended

**27.** Section 211 of *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following subsection:

Ambulance  
service

- (1a) A by-law passed by the Licensing Commission pursuant to subclause i of clause a of subsection 1 of this section and paragraph 1 of section 395 of *The Municipal Act* with respect to licensing, regulating and governing owners and drivers of ambulances may include provisions,

R.S.O. 1960,  
c. 249

- (a) for licensing, regulating and governing ambulance attendants and providing for examinations to be passed by ambulance drivers and attendants;
- (b) for requiring owners of ambulances to install and maintain such means of communication with any central ambulance dispatching system maintained by or for the Metropolitan Corporation as the by-law may prescribe;
- (c) for requiring owners and drivers of ambulances to accept and make calls as directed through such central ambulance dispatching system.

R.S.O. 1960,  
c. 260, s. 219,  
subss. 3, 4,  
re-enacted;  
subs. 5,  
repealed

**28.** Subsections 3, 4 and 5 of section 219 of *The Municipality of Metropolitan Toronto Act* are repealed and the following substituted therefor:

Planning  
board

R.S.O. 1960,  
c. 296

- (3) The planning board for the planning area shall be constituted as provided in *The Planning Act*, except that the membership of the planning board shall at all times include two persons recommended by The Metropolitan Toronto School Board and approved by the Minister.

Area municipalities  
subsidiary  
planning  
areas

- (4) On and after the 1st day of January, 1967, subject to *The Planning Act*, each area municipality is a subsidiary planning area within The Metropolitan

Toronto Planning Area, and the subsidiary planning areas within The Metropolitan Toronto Planning Area but outside the Metropolitan Area are continued.

**29.** Subsection 1 of section 220 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 2 of *The Municipality of Metropolitan Toronto Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 260, s. 220,  
subs. 1,  
re-enacted

- (1) The Metropolitan Corporation shall be deemed to be a municipality for the purposes of sections 1 to 20, 22 to 25, 28, 33 and 34 of *The Planning Act*, and no area municipality shall be deemed to be a municipality for the purposes of section 7 of *The Planning Act* with respect to the financial requirements of the board of The Metropolitan Toronto Planning Area.

Application  
of  
R.S.O. 1960,  
c. 296, to  
Metro-  
politan  
Corporation

**30.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 260  
amended

- 220a. Before an official plan for The Metropolitan Toronto Planning Area is adopted, amended or repealed by the Metropolitan Council or by the council of any municipality within The Metropolitan Toronto Planning Area, such council shall give notice thereof to each other municipality within The Metropolitan Toronto Planning Area, including the Metropolitan Corporation, and shall give to each such municipality an opportunity to make representation thereon to the council or a committee thereof appointed for such purpose.

Notice of  
proposed  
adoption,  
etc., of  
official  
plan

**31.** Subsection 5 of section 225 of *The Municipality of Metropolitan Toronto Act* is repealed.

R.S.O. 1960,  
c. 260, s. 225,  
subs. 5,  
repealed

**32.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 260,  
amended

- 225a.—(1) The Metropolitan Council may by by-law assume any of the lands in the City of Toronto designated or known as Exhibition Park or created by fill to the south thereof, saving and excepting any lands or any interest therein of Her Majesty in right of Ontario, and the enactment of such by-law shall vest in the Metropolitan Corporation a full, clear and absolute title to the lands as described in such by-law free and clear of all conditions as to use contained in *An Act respecting the City of Toronto*, being chapter 86 of the Statutes of Ontario, 1903.

Assumption  
of C.N.E.

- (2) No compensation or damages shall be payable by the Metropolitan Corporation to the City of Toronto

Existing  
debenture  
liability

for such assumed lands, but the Metropolitan Corporation shall thereafter pay before the due date all amounts of principal and interest becoming due upon any outstanding debentures issued in respect of the property assumed, and the provisions of subsections 3 and 4 of section 225 apply *mutatis mutandis*.

Use of  
lands

- (3) Such assumed lands shall be used,
- (a) for parks and exhibition purposes;
  - (b) for the purposes of trade and agricultural fairs;
  - (c) for the holding of displays, sporting events, public entertainments and meetings;
  - (d) for highway, electrical transmission or public utility purposes; or
  - (e) for any other purpose that the City of Toronto may approve.

Annual  
exhibition

- (4) An exhibition shall be held annually on such assumed lands.

Powers  
under  
R.S.O. 1960,  
c. 329

- (5) With respect to the lands so assumed, the Metropolitan Council may exercise all or any of the powers that are conferred on boards of park management by *The Public Parks Act* and shall have all other powers required for the full and effective use of such assumed lands in accordance with subsection 3.

Recon-  
veyance

- (6) If any of the lands vested by this section in the Metropolitan Corporation cease to be used for the purposes of subsection 3, the Metropolitan Corporation shall thereupon transfer such lands to the City of Toronto, and no compensation or damages shall be payable to the Metropolitan Corporation in respect thereof.

Tax  
exemption

- (7) Such assumed lands shall be exempt from taxation for municipal purposes so long as such lands continue to be owned by the Metropolitan Corporation and used for the purposes of the Canadian National Exhibition Association, provided that the full value of such lands, except the lands that are exempt from taxation under section 4 of *The Assessment Act*, shall be included in the assessment of the City of Toronto for the purposes of the apportionment of the levies of the Metropolitan Corporation among the area municipalities.

R.S.O. 1960,  
c. 23



- (8) Subject to subsection 9, upon the passing of the by-<sup>Agreements</sup> law referred to in subsection 1, the Metropolitan Corporation shall be responsible for all liabilities of the City of Toronto and is entitled to all benefits under agreements made by or on behalf of the City of Toronto with respect to the use of such assumed lands, and the City of Toronto shall be relieved of any liability thereunder.
- (9) Subsection 8 does not apply to agreements between <sup>Idem</sup> the City of Toronto and the Metropolitan Corporation or to agreements for payments in lieu of taxes.
- (10) The City of Toronto may continue to use, maintain, <sup>Water-</sup> repair, reconstruct and replace watermains, sewers <sup>mains, etc.,</sup> and sewage works in such assumed lands until and <sup>in assumed</sup> unless the areas in which such watermains, sewers <sup>lands</sup> and sewage works are located are required by the Metropolitan Corporation, in which case the Metropolitan Corporation shall pay to the City of Toronto such amount as may be agreed upon or, failing agreement, such amount as may be determined by arbitration, and the provisions of *The Expropriation Pro-* <sup>1962-63,</sup> *cedures Act, 1962-63* apply to any such arbitration. <sup>c. 43</sup>
- (11) The Metropolitan Corporation shall pay to the City <sup>Personal</sup> of Toronto such amount for personal property <sup>property</sup> on such assumed lands or in the buildings thereon as may be mutually agreed upon between the Metropolitan Corporation and the City of Toronto.
- (12) The Metropolitan Corporation may enter into agree- <sup>Agreements</sup> ments with the Canadian National Exhibition Association, the Royal Agricultural Winter Fair and other <sup>with C.N.E.,</sup> bodies respecting the use of such assumed lands, <sup>etc.</sup> the charging of entrance or admission fees and any other matter or thing that the Metropolitan Council deems desirable for the full and effective use of such assumed lands for the purposes set out in subsection 3.
- (13) The Metropolitan Corporation may make grants to <sup>Grants,</sup> and erect and maintain buildings and structures for <sup>etc.</sup> the use of the Canadian National Exhibition Association and other bodies and may enter into agreements with the Association and other bodies with respect to the operation and maintenance throughout the year of all or any part of such assumed lands and any buildings or structures now or hereafter erected thereon.



Agreement  
re C.N.E.  
as agent

- (14) The Metropolitan Corporation may enter into an agreement with the Canadian National Exhibition Association appointing the Association as its agent to carry out any of the powers of the Metropolitan Corporation under this section, and, upon the execution of such an agreement, the Association is authorized to exercise such powers subject to such restrictions as may be set out in the agreement.

R.S.O. 1960,  
c. 260,  
amended

**33.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following sections:

Levy  
authorized  
before  
estimates  
adopted

- 230a.—(1) Notwithstanding section 230, the Metropolitan Council may, in any year before the adoption of the estimates for that year, levy against each of the area municipalities a sum not exceeding 50 per cent of the levy made by the Metropolitan Council in the preceding year against that area municipality or against the former area municipalities included within that area municipality, and subsections 13 and 14 of section 230 apply to such a levy.

Levy under  
s. 230 to be  
reduced

- (2) The amount of any levy made under subsection 1 shall be deducted from the amount of the levy made under section 230.

Reduction  
in rates  
on certain  
residential  
and farm  
assessment

- 230b.—(1) The council of each of the area municipalities specified in the schedule to this section shall, within the boundaries of the former area municipalities specified in such schedule, impose lower rates of taxation on the assessment described in subsection 3 of section 294 of *The Municipal Act* than those imposed on such assessment in the remainder of such area municipality, in the years, for the purposes and by the number of mills set out in such schedule.

R.S.O. 1960,  
c. 249

Amount of  
reduction  
to be  
included in  
estimates

- (2) The Metropolitan Council shall include, in the estimates to be adopted for the years specified in the schedule to this section, the amount of the reductions granted by each area municipality as required in subsection 1 and shall make corresponding reductions in the amounts to be levied against such area municipality under sections 230 and 231.

Area muni-  
cipality  
treasurers  
to certify  
reductions

- (3) The treasurer of each of the area municipalities specified in the schedule to this section, in each of the years set out in the schedule and prior to the adoption of estimates by the Metropolitan Council, shall certify to the treasurer of the Metropolitan Cor-

poration the amounts of tax allowances in the former area municipalities that would result in that year from reductions in the rates of taxation for such year in accordance with subsection 1.

SCHEDULE

Area Municipality	Former Area Municipality	Mills in the Dollar			
		1967	1968	1969	1970
City of Toronto	Village of Forest Hill				
general purposes .....		8	6	4	2
City of Toronto	Village of Swansea				
general purposes .....		10	8.5	6	3
public school purposes .....		1.5	....	....	....
Borough of East York	Town of Leaside				
general purposes .....		5.5	4.5	3	1.5
public school purposes .....		1	....	....	....
Borough of York	Town of Weston				
general purposes .....		0.5	0.5	0.5	....
public school purposes .....		0.5	0.5	....	....

**34.** Clause *a* of subsection 1 of section 234 of *The Municipality of Metropolitan Toronto Act* is amended by adding at the end thereof "and of the Metropolitan Toronto Library Board", so that the clause shall read as follows:

R.S.O. 1960,  
c. 260, s. 234,  
subs. 1,  
cl. *a*,  
amended

- (a) the Metropolitan Corporation, including the purposes of the Toronto Transit Commission and of the Metropolitan Toronto Library Board.

**35.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 260,  
amended

234a. The references in subsection 2 of section 286 of *The Municipal Act* to a two-year term and to a biennial election shall, with respect to the Metropolitan Council and the councils of each area municipality, be deemed to be references to a three-year term and to a triennial election.

Application  
of  
R.S.O. 1960,  
c. 249

**36.**—(1) Subsection 1 of section 255 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 17 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is further amended by striking out "and 22" in the amendment of 1961-62 and inserting in lieu thereof "22 and 27", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 260, s. 255,  
subs. 1,  
amended

Application  
of  
R.S.O. 1960,  
c. 249

- (1) Section 5, Parts XV, XVI, XVII and XXI, section 248*b* and paragraphs 3, 22 and 27 of section 377 of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

R.S.O. 1960,  
c. 260, s. 255,  
subs. 3  
(1962-63,  
c. 89, s. 13,  
subs. 1),  
re-enacted

- (2) Subsection 3 of the said section 255, as re-enacted by subsection 1 of section 13 of *The Municipality of Metropolitan Toronto Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Erections,  
annexations  
and amalga-  
mations  
R.S.O. 1960,  
c. 249

- (3) Sections 10 and 11 and, subject to subsection 2 of section 150, section 14 of *The Municipal Act* do not apply to any area municipality except in relation to alterations of boundaries, within the Metropolitan Area, of area municipalities, which alterations, in the opinion of the Municipal Board, are of a minor nature.

R.S.O. 1960,  
c. 260, s. 255,  
subs. 3*a*  
(1962-63,  
c. 89, s. 13,  
subs. 1),  
repealed

- (3) Subsection 3*a* of the said section 255, as enacted by subsection 1 of section 13 of *The Municipality of Metropolitan Toronto Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,  
c. 260, s. 257  
(1960-61,  
c. 61, s. 14),  
repealed

- 37.** Section 257 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 14 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61*, is repealed.

R.S.O. 1960,  
c. 260, s. 258,  
re-enacted

- 38.** Section 258 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

Grants to  
persons  
engaged in  
work ad-  
vantageous  
to Metro-  
politan Area

258. The Metropolitan Council may make annual grants, not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the metropolitan levy is apportioned among the area municipalities under subsection 5 of section 230, to institutions, associations and persons carrying on or engaged in works that in the opinion of the Metropolitan Council are for the general advantage of the inhabitants of the Metropolitan Area and for which grant or grants there is no express authority provided by any other Act.

R.S.O. 1960,  
c. 260, s. 265,  
amended

- 39.** Section 265 of *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following subsection:

Interpre-  
tation

- (3) In subsection 2, "Metropolitan Corporation" and "area municipality" include a local board thereof.

R.S.O. 1960,  
c. 260, s. 273,  
re-enacted

- 40.** Section 273 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

273. For the purposes of section 59 of *The Highway Traffic Act*, the Boroughs of East York, Etobicoke, North York, Scarborough and York shall be deemed to be cities. Boroughs deemed cities under R.S.O. 1960, c. 172, s. 59

**41.**—(1) Notwithstanding any trusts or conditions limiting the lands conveyed to The Corporation of the City of Toronto by Sir Edmund Boyd Osler, by a deed dated the 30th day of June, 1926, and registered in the Registry Office for the Registry Division of Toronto as Instrument No. 6767 E.M., to the purposes of a public park or garden for the free use, benefit and enjoyment of the citizens of the City of Toronto forever, The Corporation of the City of Toronto may convey to The Municipality of Metropolitan Toronto such easements or rights in the nature of easements in such lands as may be necessary for the construction and maintenance of the Spadina Expressway South Trunk Drain. Conveyance of easements authorized

(2) The conveyance referred to in subsection 1 executed by The Corporation of the City of Toronto shall vest in The Municipality of Metropolitan Toronto easements to construct and maintain the Spadina Expressway South Trunk Drain through the lands described in the conveyance free from all trusts and conditions whatsoever contained in the deed referred to in subsection 1. Idem

**42.**—(1) Notwithstanding any trusts or conditions limiting the lands conveyed to The Corporation of the City of Toronto by Larratt William Smith, by a deed dated the 1st day of September, 1893, and registered in the Registry Office for the Registry Division of Toronto as Instrument No. 6184S, to the purposes of a public park and for no other purpose for the free use, benefit and enjoyment of the citizens of Toronto forever, The Corporation of the City of Toronto may convey to The Municipality of Metropolitan Toronto such easements or rights in the nature of easements in such lands and such part of such lands as may be necessary for the construction and maintenance of the Rosehill Reservoir Pumping Station and Watermains. Conveyance of property authorized

(2) The conveyance referred to in subsection 1 executed by The Corporation of the City of Toronto shall vest in The Municipality of Metropolitan Toronto the lands and easements necessary to construct and maintain the Rosehill Reservoir Pumping Station and Watermains on and through the lands described in the conveyance free from all trusts and conditions whatsoever contained in the deed referred to in subsection 1. Idem

**43.** The Metropolitan Council may make the following grants: Grants authorized



1. \$8,400 to the Pentecostal Benevolent Association of Ontario toward the cost of constructing an addition to Shepherd Lodge.
2. \$25,000 to the West Scarborough Boys' Club toward the construction and equipment of a boys' club.
3. \$100,000 to The Salvation Army payable in equal instalments in the years 1966 and 1967 to provide improved facilities for its welfare and rehabilitation services.
4. \$30,000 to the St. John Ambulance toward the cost of constructing a new headquarters building.

Powers of  
O.M.B.  
regarding  
acquisition  
of school  
sites

**44.** The Municipal Board has and shall be deemed always to have had the power on an application of the Metropolitan Council to make orders approving expenditures and the borrowing of money and the issuing of debentures for the acquisition of school sites, without specifying particular sites.

Effect in  
year 1966 of  
re-enactment  
of Part VIII

**45.** The re-enactment of Part VIII of *The Municipality of Metropolitan Toronto Act* by section 14 of this Act does not affect the composition of the councils of the area municipalities or the status of the towns of Leaside, Mimico, New Toronto and Weston during the year 1966.

Commence-  
ment

**46.**—(1) This Act, except sections 1, 3, 4, 5, 6, 8, 9, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, 38, 39 and 40, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 comes into force on the 1st day of January, 1967, except that for the purposes of section 4 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 2, it shall be deemed to have come into force on the day this Act receives Royal Assent.

Idem

(3) Sections 3, 4, 5, 6, 8, 9, 12, 28, 29, 30, 33, 34, 35, 38 and 40 come into force on the 1st day of January, 1967.

Idem

(4) Part VII-A, except section 149c, of *The Municipality of Metropolitan Toronto Act*, as enacted by section 13, comes into force on the day this Act receives Royal Assent, and such section 149c comes into force on the 1st day of January, 1967.

Idem

(5) Sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 come into force on the 1st day of January, 1967, except that for the purposes of section 152 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 15, such sections shall be deemed to have come into force on the day this Act receives Royal Assent.



(6) Sections 31 and 32 shall be deemed to have come into <sup>Idem</sup> force on the 1st day of December, 1965.

(7) Section 39 shall be deemed to have come into force on <sup>Idem</sup> the 1st day of January, 1966.

**47.** This Act may be cited as *The Municipality of Metro-* <sup>Short title</sup>  
*politan Toronto Amendment Act, 1966.*



CHAPTER 97

**An Act to amend  
The National Radio Observatory Act, 1962-63**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The National Radio Observatory Act, 1962-63* <sup>1962-63, c. 90, s. 1, re-enacted</sup> is repealed and the following substituted therefor:

1. The public lands situate in the geographic Township of White in the Territorial District of Nipissing designated as locations GT 149, GT 150 and CL 744, <sup>Adminis- tration and control of lands of Algonquin Radio Observatory</sup> containing 135 acres, more or less, and shown in heavy outline on a plan dated the 25th day of January, 1966, of record in the Department of Lands and Forests, Ontario, are placed under the administration and control of Her Majesty the Queen in right of Canada for the maintenance and operation of the national radio observatory known as "Algonquin Radio Observatory".

**2.** This Act comes into force on the day it receives Royal <sup>Commence- ment</sup> Assent.

**3.** This Act may be cited as *The National Radio Observatory* <sup>Short title</sup> *Amendment Act, 1966*.



## CHAPTER 98

## An Act to amend The Negligence Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 2 of section 2 of *The Negligence Act* <sup>R.S.O. 1960, c. 261, s. 2, subs. 2, amended</sup> is amended by inserting after “driver” in the eleventh line “except, subject to subsection 3, where such portion of the loss or damage was caused by the gross negligence of the driver of the motor vehicle”, so that the subsection shall read as follows:

- (2) In any action brought for any loss or damage resulting from bodily injury to, or the death of any person being carried in, or upon, or entering, or getting on to, or alighting from a motor vehicle other than a vehicle operated in the business of carrying passengers for compensation, and the owner or driver of the motor vehicle that the injured or deceased person was being carried in, or upon, or entering, or getting on to, or alighting from is one of the persons found to be at fault or negligent, no damages are, and no contribution or indemnity is, recoverable for the portion of the loss or damage caused by the fault or negligence of such owner or driver except, subject to subsection 3, where such portion of the loss or damage was caused by the gross negligence of the driver of the motor vehicle, and the portion of the loss or damage so caused by the fault or negligence of such owner or driver shall be determined although such owner or driver is not a party to the action. <sup>Where plaintiff is passenger</sup>

(2) Subsection 1 applies only to loss or damage resulting from bodily injury to or the death of any person caused by the gross negligence of a driver of a motor vehicle on or after the day this section comes into force. <sup>Application of subs. 1</sup>



Commence-  
ment

**2.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**3.** This Act may be cited as *The Negligence Amendment Act, 1966*.

## CHAPTER 99

# An Act to provide for the Licensing and Regulation of Nursing Homes

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "Act" includes the regulations;
- (b) "Department" means the Department of Health;
- (c) "inspector" means a person designated under clause *l* of subsection 1 of section 11 or a person or a member of a class of persons designated by the regulations as inspectors;
- (d) "licence" includes a provisional licence;
- (e) "Minister" means the Minister of Health;
- (f) "nursing home" means any premises maintained and operated for persons requiring nursing care;
- (g) "regulations" means the regulations made under this Act;
- (h) "resident" means a person admitted to and lodged in a nursing home.

**2.—**(1) The Minister is responsible for the administration and enforcement of this Act. Minister responsible

(2) Where this Act requires or authorizes the Minister to do any act, such act may be done on his behalf by any officer of the Department whom he designates to do such act. Delegation of ministerial powers and duties

**3.** No person shall establish or maintain and operate a nursing home unless it is licensed under this Act. Nursing homes to be licensed

Use of term  
"licensed  
nursing  
home"

**4.** No person shall use the term "licensed nursing home" in connection with any premises unless they are licensed under this Act.

Issue of  
licences

**5.** The Minister may issue licences under this Act.

Transfer of  
licences

**6.** On the application in writing signed by the licensee and by any person to whom he desires that his licence be transferred, the Minister may, by endorsement on the licence or otherwise in writing, transfer the licence to that person, and thereupon that person becomes the licensee of the nursing home with the same rights and obligations as if the licence had been issued to him in the first instance.

Joint  
licensees

**7.** Where a licence has been issued to two or more persons jointly and any of such persons dies leaving the other or others surviving during the currency of the licence, the licence remains in force and has the same effect as if it had been issued to the survivor or survivors.

Death of  
licensee

**8.—(1)** Where the licensee or the sole surviving licensee dies, the Minister may, by endorsement on the licence or otherwise in writing, transfer the licence to any person nominated by the executors or administrators of the deceased licensee of the nursing home with the same rights and obligations as if the licence had been issued to him in the first instance.

Idem

**(2)** If the licence is not transferred under subsection 1 within two months after the death of the licensee or of the sole surviving licensee, the Minister may revoke the licence.

Nursing  
Homes  
Advisory  
Committee

**9.—(1)** The Lieutenant Governor in Council may appoint a committee, consisting of not more than five members, to be known as the Nursing Homes Advisory Committee, and may designate one member of the committee as chairman.

Quorum

**(2)** Three members of the Nursing Homes Advisory Committee constitute a quorum.

Revocation  
of licence

**10.—(1)** A licence may at any time be revoked by the Minister,

(a) if the nursing home is unclean, unsanitary or without proper fire protection;

(b) if the standard of nursing care of residents provided in the nursing home is inadequate;

(c) if the nursing home is managed or conducted in a manner contrary to this Act;

(d)

- (d) if the nursing home is maintained or operated in such a manner that the revocation of the licence is required in the public interest; or
- (e) if the licensee has made default for at least two months in paying the annual licence fee.

(2) Before a licence is revoked, the Minister shall give <sup>Notice</sup> notice to the licensee of the nursing home, by registered mail, of the ground upon which it is proposed to revoke the licence, and shall send a copy of such notice to the chairman of the Nursing Homes Advisory Committee.

(3) The Nursing Homes Advisory Committee shall provide <sup>Hearing</sup> the licensee, within fifteen days after he has received the notice, with an opportunity of appearing before it at a hearing and presenting such evidence and making such representations as he desires.

(4) Where the Nursing Homes Advisory Committee after <sup>Action</sup> the hearing finds that there is ground for revoking the licence, the Minister shall revoke the licence.

**11.**—(1) In addition to the inspectors designated by the <sup>Inspectors</sup> regulations, the Minister may designate one or more officers of the Department to be inspectors for the purposes of this Act.

(2) Every licensed nursing home and its books and records shall at all times be open to inspection by an inspector. <sup>Inspection of nursing homes</sup>

(3) Where an inspector believes or suspects that any pre- <sup>Inspection of suspected premises</sup> mises are being used as a nursing home without being licensed, he may at any time and from time to time enter and inspect such premises and every part thereof, and every person who prevents or obstructs or attempts to prevent or obstruct any such entry or inspection is guilty of an offence and on summary conviction is liable to a fine of not more than \$200.

**12.**—(1) The Lieutenant Governor in Council may make <sup>Regulations</sup> such regulations with respect to nursing homes as are deemed necessary for carrying out the purposes of this Act, and in particular,

- (a) classifying nursing homes and residents;
- (b) exempting nursing homes from the application of this Act;
- (c) respecting the construction, establishment, alteration, safety, equipment, maintenance and repair of nursing homes;

(d)

- (d) respecting the management and operation of nursing homes;
- (e) respecting the officers and staffs of nursing homes and prescribing their functions;
- (f) prescribing the books and records that shall be kept by licensees of nursing homes;
- (g) requiring the accounts of nursing homes to be audited;
- (h) prescribing the reports and returns that shall be made to the Department by licensees of nursing homes;
- (i) respecting the licensing and provisional licensing of nursing homes and prescribing the conditions applicable to licences or provisional licences, and the fees payable therefor;
- (j) defining the term “nursing care” for the purposes of this Act;
- (k) respecting the admission, treatment, care, conduct, discipline and discharge of residents of nursing homes;
- (l) designating persons or classes of persons as inspectors for the purposes of this Act and prescribing the duties of inspectors.

Application  
to class

(2) Any regulation may be made applicable to any class of nursing home or resident.

Commence-  
ment

**13.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**14.** This Act may be cited as *The Nursing Homes Act, 1966*.



## CHAPTER 100

**An Act to incorporate the  
Ontario Development Corporation**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Board" means the Board of Directors of the Corporation;
- (b) "Corporation" means the Ontario Development Corporation;
- (c) "lender" means any financial institution or person approved for the purposes of this Act by the Corporation;
- (d) "Minister" means the Minister of Economics and Development or such other member of the Executive Council as the Lieutenant Governor in Council designates.

**2.**—(1) There is hereby established on behalf of Her Majesty in right of Ontario a corporation under the name of "Ontario Development Corporation", consisting of not fewer than five and not more than nine directors appointed by the Lieutenant Governor in Council.

Ontario  
Develop-  
ment  
Corporation

(2) The Corporation shall have a seal which shall be adopted by resolution or by-law.

Seal

(3) The fiscal year of the Corporation commences on the 1st day of April in each year and ends on the 31st day of March in the following year.

Fiscal  
year

(4) *The Corporations Act* does not apply to the Corporation.

R.S.O. 1960,  
c. 71, does  
not apply

**3.** The capital of the Corporation is \$7,000,000 divided into 7,000 shares, each having a par value of \$1,000.

Share  
capital

Board of  
Directors

**4.—**(1) The directors for the time being of the Corporation form and are its Board of Directors, and the Lieutenant Governor in Council shall designate one of them as chairman and one of them as vice-chairman of the Board.

Remunera-  
tion

(2) The Corporation may pay such of its directors as are not officers in the public service of Ontario such remuneration and expense allowance as are from time to time fixed by the Lieutenant Governor in Council.

## Quorum

(3) A majority of the directors for the time being constitutes a quorum at meetings of the Board.

## By-laws

(4) The Board may make by-laws regulating its proceedings and generally for the conduct and management of the affairs of the Corporation.

## Management

**5.—**(1) The affairs of the Corporation are under the management and control of the Board for the time being, and the chairman shall preside at all meetings of the Board and, in his absence or if the office of chairman is vacant, the vice-chairman has all the powers and shall perform all the duties of the chairman.

Executive  
committee

(2) When the number of directors of the Corporation is more than six, the Board may pass a by-law authorizing the election from among the directors of the Corporation of an executive committee consisting of not fewer than three and delegating to the executive committee any powers of the Board, subject to the restrictions, if any, contained in the by-law or imposed from time to time by the Board.

## Quorum

(3) An executive committee may fix its quorum at not less than a majority of its members.

Rights of  
Minister  
under  
agreements  
to be  
rights of  
Corporation  
1962-63,  
c. 40

**6.** All rights of the Minister or of Her Majesty in right of Ontario under any agreement heretofore or hereafter entered into by the Minister under *The Economic Development Loans Guarantee Act, 1962-63* are hereby vested in the Corporation.

## Objects

**7.** The objects of the Corporation are to encourage and assist in the development and diversification of industry in Ontario, including, without limiting the generality of the foregoing,

- (a) the provision of financial assistance by loan, guarantee or purchase of shares or other securities; and

(b)

- (b) the provision of technical, business and financial information, advice, training and guidance to persons or organizations, whether or not incidental to the provision of financial assistance.

8.—(1) Notwithstanding any other Act, the Corporation <sup>Powers of Corporation</sup> may, with the approval of the Lieutenant Governor in Council and upon such terms and conditions as the Lieutenant Governor in Council approves,

- (a) guarantee the payment of any loan or any part thereof and all or any part of the interest thereon made by a lender to any person carrying on business in Ontario for any of the objects referred to in section 7;
- (b) lend money to any person carrying on business in Ontario, and take security for such loan by way of mortgage, charge or assignment on any real property or personal property;
- (c) purchase or otherwise acquire, hold, improve and maintain any real or personal property, including shares and other securities of a company, and lease, sell or convey the same for such considerations and on such terms and conditions as the Corporation deems advisable; and
- (d) construct, alter, add to, repair, extend, provide services for, move or remove any building, chattel or other thing.

(2) The Corporation shall not make or guarantee any loan <sup>Where loan obtainable elsewhere</sup> if, in the opinion of the Board, the applicant for the loan can obtain sufficient funds for his requirements from other sources on reasonable terms.

(3) Every guarantee executed under the seal of the Corporation and signed by the Treasurer of Ontario and given or purporting to be given under the authority of this section is binding upon Ontario and is not open to question upon any ground whatsoever. <sup>Validity of guarantee</sup>

9.—(1) Subject to the approval of the Lieutenant Governor <sup>Borrowing powers</sup> in Council, the Corporation may from time to time borrow or raise by way of loan such sums of money as the Corporation deems requisite for any of the purposes of the Corporation in any one or more, or partly in one and partly in another, of the following ways:

(a)

- (a) by the issue and sale of debentures, bills or notes of the Corporation in such form or forms, in such denomination or denominations, bearing interest at such rate or rates and payable as to principal and interest at such time or times, in such currency or currencies and at such place or places as the Corporation determines; and
- (b) by temporary loans or loans from any chartered bank or banks or from any person either by way of bank overdraft or loan or in any other manner whatsoever as the Corporation determines.

Purposes of  
Corporation

(2) The purposes of the Corporation, without limiting the generality thereof, include,

- (a) the carrying out of the objects of the Corporation mentioned in section 7;
- (b) the payment, refunding or renewal from time to time of the whole or any part of any sum or sums of money raised by way of loan or of any securities issued by the Corporation;
- (c) the repayment in whole or in part of any advances made by Ontario to the Corporation or of any securities of the Corporation issued and delivered to the Treasurer of Ontario in respect of any advances; and
- (d) the payment of the whole or any part of any obligation, liability or indebtedness of the Corporation.

Sale, etc.,  
of Corpora-  
tion's  
securities

(3) Subject to the approval of the Lieutenant Governor in Council, the Corporation may sell any debentures, bills or notes of the Corporation either at, or at less or more than, the par value thereof and may charge, pledge or otherwise deal with any such debentures, bills or notes as collateral security.

Authoriza-  
tion

(4) A recital or declaration in any resolution or minute of the Corporation authorizing the issue and sale of debentures, bills or notes of the Corporation to the effect that it is necessary to issue and sell such debentures, bills or notes for the purposes of the Corporation in the amount authorized is conclusive evidence to that effect.

Sealing,  
signing,  
etc.

(5) Debentures, bills or notes of the Corporation shall be sealed with the seal of the Corporation and may be signed by the chairman or vice-chairman of the Corporation and by the secretary or other officer of the Corporation, and any interest



coupon that may be attached to any debenture, bill or note of the Corporation may be signed by the secretary or other officer of the Corporation.

(6) The seal of the Corporation may be engraved, lithographed, printed or otherwise mechanically reproduced on any debenture, bill or note and any signature upon any debenture, bill or note and upon any coupon may be engraved, lithographed, printed or otherwise mechanically reproduced, and the seal of the Corporation when so reproduced has the same force and effect as if manually affixed, and any such signature is for all purposes valid and binding upon the Corporation notwithstanding that any person whose signature is so reproduced has ceased to hold office.

Mechanical  
reproduc-  
tion of  
seal and  
signature  
authorized

**10.** Any debenture, bill or note of the Corporation may be made redeemable in advance of maturity at such time or times, at such price or prices and on such terms and conditions as the Corporation determines at the time of the issue thereof.

Securities  
of Corpora-  
tion  
redeemable  
in advance

**11.** Where a debenture, bill or note of the Corporation is defaced, lost or destroyed, the Board may provide for its replacement on such terms and conditions as to evidence and as to indemnity as the Board requires.

Lost  
debentures

**12.—(1)** The Lieutenant Governor in Council may authorize the Treasurer of Ontario to guarantee payment by Ontario of any debentures, bills or notes issued by or of any temporary loan made to the Corporation under the authority of this Act.

Guarantee of  
payment by  
Ontario

(2) The form of guaranty and the manner of execution shall be determined by the Lieutenant Governor in Council.

Form of  
guaranty

(3) Every guaranty given or purporting to be given under the authority of this section is binding upon Ontario and is not open to question upon any ground whatsoever.

Validity of  
guaranty

(4) Any debenture, bill or note issued by or temporary loan made to the Corporation, payment whereof is guaranteed by Ontario under this section, is valid and binding upon the Corporation and its successors and assigns according to its terms, and the validity of any debenture, bill or note or temporary loan so guaranteed is not open to question on any ground whatsoever.

Guaranteed  
debentures,  
etc., to be  
indefeasible

**13.** Notwithstanding anything in any other Act, debentures issued by the Corporation are at all times a lawful investment for municipal, school and trust funds.

Debentures  
lawful  
trustee  
investments



Sale of  
Corpora-  
tion's  
shares and  
securities to  
Ontario and  
provincial  
advances to  
Corporation  
authorized

**14.**—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario,

- (a) to purchase shares of the Corporation from time to time for an amount equal to their par value;
- (b) to purchase any debentures, bills or notes of the Corporation; and
- (c) to make advances to the Corporation in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council deems expedient.

Idem

(2) The moneys required for the purposes of subsection 1 shall be paid out of the Consolidated Revenue Fund.

Redemption  
of shares

(3) The Corporation, with the approval of the Lieutenant Governor in Council, may redeem the shares of the Corporation from time to time.

Investment  
of surplus  
moneys

**15.** The Corporation may temporarily invest any surplus moneys not immediately required for the objects of the Corporation in any securities issued by or guaranteed as to principal and interest by Ontario, any other province of Canada, or Canada.

Officers  
and  
employees  
1961-62,  
c. 121

**16.**—(1) Such officers, clerks and servants may be appointed under *The Public Service Act, 1961-62* as are deemed necessary for the proper conduct of the business of the Corporation.

Employees'  
super-  
annuation  
benefits  
R.S.O. 1960,  
c. 332

(2) *The Public Service Superannuation Act* applies to the permanent staff of the Corporation as though the Corporation had been designated by the Lieutenant Governor in Council under section 27 of that Act.

Professional  
and other  
assistance

**17.** The Corporation may engage persons other than those appointed under section 16 to provide professional, technical or other assistance to or on behalf of the Corporation, and may prescribe the duties and other terms of engagement and, subject to the approval of the Lieutenant Governor in Council, provide for payment of the remuneration and expenses of such persons.

Moneys

**18.** The moneys required for the purpose of defraying the operating expenses of the Corporation shall, during the fiscal year 1966-67, be paid out of the moneys appropriated by the Legislature for the purposes of the Ontario Develop-

ment Agency, and thereafter shall be paid out of the moneys appropriated by the Legislature for the purpose of defraying the operating expenses of the Corporation.

**19.** No member, officer or employee of the Corporation, <sup>Limitation of liability</sup> or other person acting on behalf of the Corporation, is personally liable for anything in good faith done or omitted in the exercise or purported exercise of the powers conferred by this Act.

**20.** The accounts and financial transactions of the Cor- <sup>Audit</sup>poration shall be audited annually by the Provincial Auditor, and a report of the audit shall be made to the Corporation and to the Minister.

**21.**—(1) The Corporation shall make a report annually to <sup>Annual report</sup> the Minister upon the affairs of the Corporation, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

(2) The Corporation shall, in addition to making an annual <sup>Other reports</sup> report under subsection 1, make to the Minister such other reports of its affairs and operations as he requires.

**22.** *The Mortgage Brokers Registration Act* does not apply <sup>R.S.O. 1960. c. 244, does not apply</sup> to the Corporation.

**23.** This Act comes into force on a day to be named by the <sup>Commence-ment</sup> Lieutenant Governor by his proclamation.

**24.** This Act may be cited as *The Ontario Development* <sup>Short title</sup> *Corporation Act, 1966.*



## CHAPTER 101

# **An Act to incorporate The Ontario Education Capital Aid Corporation**

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## **1. In this Act,**

Interpre-  
tation

- (a) "Corporation" means The Ontario Education Capital Aid Corporation;
- (b) "municipality" means a metropolitan municipality, county, city, town, village, township, improvement district or school board, and "municipal" has a corresponding meaning.

**2.—**(1) There is hereby established on behalf of Her Majesty in right of Ontario a corporation without share capital under the name of "The Ontario Education Capital Aid Corporation", consisting of not fewer than five and not more than seven members appointed by the Lieutenant Governor in Council.

Corporation  
established

(2) The Lieutenant Governor in Council shall designate one member of the Corporation to be chairman and one member to be vice-chairman of the Corporation.

Chairman,  
vice-  
chairman

(3) The Corporation shall have a seal, which shall be adopted by resolution.

Seal

(4) A majority of the members of the Corporation constitutes a quorum at meetings.

Quorum

(5) *The Corporations Act* does not apply to the Corporation.

R.S.O. 1960,  
c. 71, not  
to apply

**3.** The object of the Corporation is to purchase from municipalities debentures issued by them for school board undertakings.

Object

## Management

4.—(1) The affairs of the Corporation are under the management and control of the members for the time being of the Corporation, and the chairman shall preside at all meetings of the Corporation and, in his absence or if the office of chairman is vacant, the vice-chairman has all the powers and shall perform the duties of the chairman.

## Administration

(2) The Corporation shall be assisted in the administration of its affairs by such officers and other employees in the public service of Ontario as the Treasurer of Ontario may assign for the purpose.

## Remuneration

(3) The Corporation may pay such of its members as are not officers in the public service of Ontario such remuneration and expense allowance as are from time to time fixed by the Lieutenant Governor in Council.

## Borrowing powers

5.—(1) Subject to the approval of the Lieutenant Governor in Council, the Corporation may from time to time borrow or raise by way of loan such sums of money as the Corporation may deem requisite for any of the purposes of the Corporation in any one or more, or partly in one and partly in another, of the following ways:

- (a) by the issue and sale of debentures, bills or notes of the Corporation in such form or forms, in such denomination or denominations, bearing interest at such rate or rates and payable as to principal and interest at such time or times, in such currency or currencies and at such place or places as the Corporation may determine; and
- (b) by temporary loans or loans from any chartered bank or banks or from any person either by way of bank overdraft or loan or in any other manner whatsoever as the Corporation may determine.

## Purposes of Corporation

(2) The purposes of the Corporation, without limiting the generality thereof, include,

- (a) the carrying out of the object of the Corporation mentioned in section 3;
- (b) the payment, refunding or renewal from time to time of the whole or any part of any sum or sums of money raised by way of loan or of any securities issued by the Corporation;
- (c) the repayment in whole or in part of any advances made by Ontario to the Corporation or of any



securities of the Corporation issued and delivered to the Treasurer of Ontario in respect of any advances; and

- (d) the payment of the whole or any part of any obligation, liability or indebtedness of the Corporation.

(3) Subject to the approval of the Lieutenant Governor in Council, the Corporation may sell any debentures, bills or notes of the Corporation either at, or at less or more than, the par value thereof, and may charge, pledge or otherwise deal with any such debentures, bills or notes as collateral security.

Sale, etc.,  
of Cor-  
poration's  
securities

(4) A recital or declaration in any resolution or minute of the Corporation authorizing the issue and sale of debentures, bills or notes of the Corporation to the effect that it is necessary to issue and sell such debentures, bills or notes for the purpose of the Corporation in the amount authorized is conclusive evidence to that effect.

Authoriza-  
tion

(5) Debentures, bills or notes of the Corporation shall be sealed with the seal of the Corporation and may be signed by the chairman or vice-chairman of the Corporation and by the treasurer or any other officer of the Corporation, and any interest coupon that may be attached to any debenture, bill or note of the Corporation may be signed by the treasurer or any other officer of the Corporation.

Sealing,  
signing,  
etc.

(6) The seal of the Corporation may be engraved, lithographed, printed or otherwise mechanically reproduced on any debenture, bill or note and any signature upon any debenture, bill or note and upon any coupon may be engraved, lithographed, printed or otherwise mechanically reproduced, and the seal of the Corporation when so reproduced has the same force and effect as if manually affixed, and any such signature is for all purposes valid and binding upon the Corporation notwithstanding that any person whose signature is so reproduced has ceased to hold office.

Mechanical  
reproduc-  
tion of  
seal and  
signature  
authorized

6. Any debenture, bill or note of the Corporation may be made redeemable in advance of maturity at such time or times, at such price or prices and on such terms and conditions as the Corporation may determine at the time of the issue thereof.

Securities of  
Corporation  
redeemable  
in advance

7. Where a debenture, bill or note of the Corporation is defaced, lost or destroyed, the Corporation may provide for its replacement on such terms as to evidence and as to indemnity as the Corporation may require.

Lost  
debentures

Guarantee  
of payment  
by Province

8.—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario to guarantee payment by Ontario of any debentures, bills or notes issued by, or of any temporary loan made to, the Corporation under the authority of this Act.

Form of  
guaranty

(2) The form of guaranty and the manner of execution shall be determined by the Lieutenant Governor in Council.

Validity of  
guaranty

(3) Every guaranty given or purporting to be given under the authority of this section is binding upon Ontario and is not open to question upon any ground whatsoever.

Guaranteed  
debentures,  
etc., to be  
indefeasible

(4) Any debenture, bill or note issued by or any temporary loan made to the Corporation, payment whereof is guaranteed by Ontario under this section, is valid and binding upon the Corporation, its successors and assigns according to its terms, and the validity of any debenture, bill or note or temporary loan so guaranteed is not open to question on any ground whatsoever.

Trustees,  
etc.,  
investments  
in debentures

9. Notwithstanding anything in any other Act, debentures issued by the Corporation are at all times a lawful investment for municipal, school and trust funds.

Purchase of  
municipal  
debentures

10.—(1) The Corporation, with the approval of the Lieutenant Governor in Council, may from time to time purchase from any municipality debentures issued by the municipality for the purpose specified in section 3.

Approval  
and valida-  
tion  
required

(2) The Corporation shall not purchase any municipal debentures under the authority of this Act until,

R.S.O. 1960,  
c. 274

(a) the Ontario Municipal Board has issued its order pursuant to section 64 of *The Ontario Municipal Board Act* authorizing the municipality to proceed with the undertaking with respect to which the debentures are required; and

(b) the municipality has had the debentures validated by the Ontario Municipal Board under sections 58 to 60 of *The Ontario Municipal Board Act*.

Rate of  
interest

(3) The effective rate of interest at which the Corporation purchases debentures shall be as determined from time to time by the Lieutenant Governor in Council.

Audit

11. The accounts and financial transactions of the Corporation shall be audited annually by the Provincial Auditor, and he shall make an annual report of the audit to the Treas-

urer of Ontario, and the Treasurer shall table the report in the Assembly if it is in session or, if not, at the next ensuing session.

**12.**—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario, Sale of Corporation's securities to Province and provincial advances to Corporation authorized

(a) to purchase any debentures, bills or notes of the Corporation; and

(b) to make advances to the Corporation in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council may deem expedient.

(2) The moneys required for the purposes of subsection 1 Idem shall be paid out of the Consolidated Revenue Fund.

**13.** The Lieutenant Governor in Council may make such Regulations regulations with respect to the Corporation as he deems necessary for carrying out the purposes of this Act.

**14.** The Treasurer of Ontario shall administer this Act Administration and any regulations made under this Act.

**15.** This Act comes into force on the day it receives Royal Commencement Assent.

**16.** This Act may be cited as *The Ontario Education Capital Short title Aid Corporation Act, 1966.*



## CHAPTER 102

**An Act to amend The Ontario Institute  
for Studies in Education Act, 1965**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subclause v of clause f of section 5 of *The Ontario Institute for Studies in Education Act, 1965* is amended by inserting after "Institute" in the third line "for the acquisition of the assets of the association or organization or", so that the subclause shall read as follows:

- (v) enter into agreements with any association or organization having objects similar to those of the Institute for the acquisition of the assets of the association or organization or providing for the joint operation of research programmes, and

. . . . .

**2.** Section 9 of *The Ontario Institute for Studies in Education Act, 1965* is amended by inserting after "payable" in the second line "to the Board", so that the section shall read as follows:

9. The cost of the establishment, maintenance and conduct of the Institute shall be payable to the Board, until the 30th day of June, 1966, out of the Consolidated Revenue Fund, and thereafter out of moneys appropriated therefor by the Legislature and out of revenues derived from tuition fees, grants from individuals and organizations and from other sources.

**3.** Section 11 of *The Ontario Institute for Studies in Education Act, 1965* is amended by striking out "Institute" in the first line and inserting in lieu thereof "Board", so that the section shall read as follows:



Annual  
report

11. The Board shall make a report annually to the Minister upon the affairs of the Institute, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

1965,  
c. 86, s. 12,  
re-enacted

4. Section 12 of *The Ontario Institute for Studies in Education Act, 1965* is repealed and the following substituted therefor:

Property  
vested in  
Board

- 12.—(1) The real and personal property of the Institute shall be vested in the Board, and all income of the Institute, including all moneys referred to in section 9, shall be the property of the Board.

Tax  
exemption

- (2) The real and personal property, business and income of the Institute and the Board and the premises leased to and occupied by the Institute or the Board are not subject to taxation for provincial or municipal or school purposes.

Commence-  
ment

5. This Act shall be deemed to have come into force on the 1st day of January, 1966.

Short title

6. This Act may be cited as *The Ontario Institute for Studies in Education Amendment Act, 1966*.

## CHAPTER 103

**An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) The Lieutenant Governor in Council is hereby authorized to raise from time to time by way of loan such sum or sums of money as are deemed expedient for any or all of the following purposes: for the public service, for works carried on by commissioners on behalf of Ontario, for discharging any indebtedness or obligation of Ontario or for reimbursing the Consolidated Revenue Fund for any moneys expended in discharging any indebtedness or obligation of Ontario, for making any payments authorized or required by any Act to be made out of the Consolidated Revenue Fund or for reimbursing the Consolidated Revenue Fund for any payments so authorized or required, and for the carrying on of the public works authorized by the Legislature; provided that the principal amount of any securities issued and sold for the purpose of raising any sum or sums of money by way of loan authorized by this Act together with the amount of any temporary loans raised under this Act, to the extent that such temporary loans are from time to time outstanding or have been paid from the proceeds of securities issued and sold under the authority of *The Financial Administration Act* for the purpose of such payment, shall not exceed in the aggregate \$400,000,000. Loans up to \$400,000,000 authorized R.S.O. 1960, c. 142

(2) The sum or sums of money authorized to be raised by subsection 1 for the purposes mentioned therein shall be in addition to all sums of money authorized to be raised by way of loan under any other Act. Idem

**2.** Any such sum or sums may be raised in any manner provided by *The Financial Administration Act* and shall be raised upon the credit of the Consolidated Revenue Fund and shall be chargeable thereupon. Idem

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Ontario Loan Act, 1966*.

## CHAPTER 104

### An Act to amend The Ontario Mental Health Foundation Act, 1960-61

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *c* of subsection 2 of section 12<sup>n</sup> of *The Ontario Mental Health Foundation Act, 1960-61*, as re-enacted by section 1 of *The Ontario Mental Health Foundation Amendment Act, 1965*, is amended by striking out "and 19" in the first line and inserting in lieu thereof "19 and 23", so that the clause shall read as follows:

(*c*) sections 9, 16, 19 and 23 of *The Psychiatric Hospitals Act*. R.S.O. 1960,  
c. 315

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Ontario Mental Health Foundation Amendment Act, 1966*. Short title





## CHAPTER 105

## An Act to amend The Ontario Municipal Board Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 15 of *The Ontario Municipal Board Act* is amended by inserting after "order" in the second line "or decision", so that the subsection shall read as follows: R.S.O. 1960,  
c. 274, s. 15,  
subs. 2,  
amended

(2) The report of such member may be adopted as the order or decision of the Board by two other members of the Board, one of whom shall be the chairman or a vice-chairman, or may be otherwise dealt with as the Board deems proper. Report

**2.** Section 64 of *The Ontario Municipal Board Act*, as amended by section 1 of *The Ontario Municipal Board Amendment Act, 1962-63* and section 1 of *The Ontario Municipal Board Amendment Act, 1965*, is further amended by adding thereto the following subsections: R.S.O. 1960,  
c. 274, s. 64,  
amended

(6) In subsection 7, "work" includes any undertaking, work, project, scheme, act, matter or thing proposed to be done or undertaken by a municipality. Interpre-  
tation

(7) An application may be made by a municipality for approval by the Board of expenditures and the borrowing of money and the issuing of debentures and, where necessary, for an order dispensing with a vote of the electors under section 63 for a class of work without specifying any particular work, and the Board may dismiss the application or may approve part or all thereof, provided that the municipality shall not make any commitment for or do any act to commence any work to be financed under an order of the Board made on such application until the municipal treasurer has certified that funds can be provided under such order in payment thereof. Application  
for approval  
of class  
of work

## Approval

(8) The approval of the Board provided for in subsection 7 shall be deemed to be the approval of the Board required under subsection 1.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

## Short title

**4.** This Act may be cited as *The Ontario Municipal Board Amendment Act, 1966*.

## CHAPTER 106

**An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-62**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *f* of section 1 of *The Ontario Municipal Employees Retirement System Act, 1961-62*, as amended by subsection 2 of section 1 of *The Ontario Municipal Employees Retirement System Amendment Act, 1964*, is repealed and the following substituted therefor:

(f) “employer” means a municipality, local board or district assessor, or an association of municipalities or local boards or of their officials designated by the Lieutenant Governor in Council as an employer under this Act.

(2) The said section 1 is amended by adding thereto the following clause:

(oa) “supplementary benefit” means a benefit in addition to the benefit to which a member, his widow, child, beneficiary or estate is entitled by reason of his membership in the System.

**2.** Section 8 of *The Ontario Municipal Employees Retirement System Act, 1961-62* is repealed and the following substituted therefor:

8.—(1) Notwithstanding any general or special Act, an employer shall not make a contribution for the provision of a pension to an employee unless the contribution is made,

(a) under this Act or the *Canada Pension Plan*; or

(b) under an approved pension plan in respect of an employee who became employed by the employer before the 1st day of July, 1965,

provided

provided that such plan was in effect on such day and the contribution is in respect of service of the employee before he becomes entitled to be a member under the regulations.

Where  
bargaining  
agreement

- (2) If an employer is required to make contributions to an approved pension plan under the terms of a bargaining agreement with respect to any employees and to persons who may become employees, the date the agreement is terminated or the 1st day of July, 1968, whichever is earlier, shall be substituted for the 1st day of July, 1965, in subsection 1 as it applies to such employees or persons.

1961-62,  
c. 97, s. 14,  
amended

**3.** Section 14 of *The Ontario Municipal Employees Retirement System Act, 1961-62* is amended by adding thereto the following clause:

- (ha) providing for supplementary benefits and prescribing the terms and conditions upon which such supplementary benefits may be provided.

1961-62,  
c. 97, s. 15,  
subs. 2,  
amended

**4.** Subsection 2 of section 15 of *The Ontario Municipal Employees Retirement System Act, 1961-62* is amended by striking out "Minister" in the second line and inserting in lieu thereof "Department of Municipal Affairs", so that the subsection shall read as follows:

Amendment  
or repeal

- (2) No by-law or resolution passed under subsection 1 shall be amended or repealed without the approval of the Department of Municipal Affairs.

Commence-  
ment

**5.**—(1) This Act, except section 4, comes into force on the day it receives Royal Assent.

Idem

(2) Section 4 shall be deemed to have come into force on the 18th day of April, 1962.

Short title

**6.** This Act may be cited as *The Ontario Municipal Employees Retirement System Amendment Act, 1966*.

## CHAPTER 107

## An Act to amend The Ontario Northland Transportation Commission Act

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 14 of *The Ontario Northland Transportation Commission Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 276, s. 14,  
subs. 2,  
re-enacted

- (2) Subject to the approval and direction of the Lieutenant Governor in Council, the Commission may agree to lease and may lease to any person any of the lines of the railway and any lands, structures and equipment acquired or used in connection therewith, but no lease by the Commission of any spur, branch or portion of the line exceeding twenty miles in any one place has effect until approved by resolution of the Assembly. Agreements  
to lease  
railway  
lines

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Ontario Northland Transportation Commission Amendment Act, 1966*. Short title





## CHAPTER 108

# An Act to amend The Ontario Water Resources Commission Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 18 of *The Ontario Water Resources Commission Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 281, s. 18, subs. 1, re-enacted

(1) The Commission and its employees and agents may at any time for its purposes, without consent and without compensation, enter into the lands or buildings of the Province or of any municipality or of any person, or into any highway or road under the jurisdiction and control of any public authority, or into any boat or ship to which the regulations under clause *ha* of subsection 1 of section 47 apply, and may make such surveys, examinations, investigations, inspections or other arrangements as it deems necessary, and, except as provided in subsection 3, the Commission is liable for any damage occasioned thereby. Inspection of premises, etc.

**2.** *The Ontario Water Resources Commission Act* is amended by adding thereto the following sections: R.S.O. 1960, c. 281, amended

19a. Subject to section 19, *The Public Works Act* does not apply to real or personal property of the Commission acquired for the purpose of a project or for the provision of water or sewage service by the Commission as defined in section 46a. Application of R.S.O. 1960, c. 338, to property acquired for water or sewage service

19b.—(1) A right or interest in, over, above, upon, across, along, through, under or affecting any land or any covenant or condition relating thereto, in respect of water or sewage works, in favour of the Commission or any municipality having a contract with the Commission in respect of water or sewage works is valid Instruments creating rights analogous to easements

and

and enforceable in accordance with the terms of the instrument granting, creating or containing them, notwithstanding that the right or interest or the benefit of the covenant or condition is not appurtenant or annexed to or for the benefit of any land of the Commission or the municipality.

Terms of  
instrument  
binding on  
successors

- (2) On and after the registration of an instrument to which subsection 1 applies in the proper registry or land titles office, all the rights, interests, covenants and conditions granted or created by or contained in the instrument are binding upon and enure to the benefit of the heirs, successors, personal representatives and assigns of the parties to the instrument.

Liability  
of grantor  
for breach  
of covenant  
limited

- (3) A party to an instrument to which subsection 1 applies or a person to whom subsection 2 applies is not liable for breach of a covenant or condition contained in the instrument committed after he ceased to be the owner of the land therein mentioned, or after he ceased to hold the interest in the land by virtue of which he or his predecessor in title executed the instrument.

Land  
to remain  
subject to  
instrument  
when sold  
for taxes

- (4) Where the land mentioned in an instrument to which subsection 1 applies is sold for taxes, the land shall be deemed to have been sold subject to any right or interest granted or created by and any condition or covenant contained in the instrument.

Application

- (5) This section applies to rights, interests, covenants and conditions granted or created by or contained in any instrument of the type mentioned in subsection 1, executed after the 28th day of March, 1956.

R.S.O. 1960,  
c. 281, s. 26,  
subs. 3  
(1964,  
c. 86, s. 3),  
amended

**3.** Subsection 3 of section 26 of *The Ontario Water Resources Commission Act*, as re-enacted by section 3 of *The Ontario Water Resources Commission Amendment Act, 1964*, is amended by inserting after "period" in the thirteenth line "not exceeding twenty-one days" and by adding at the end thereof "and such order may, on application to a judge of the Supreme Court or of the county or district court of the county or district in which the material is being discharged or deposited, be continued for such period and on such terms and conditions as the judge deems proper", so that the subsection shall read as follows:

Injunction  
to prevent  
pollution  
of water

- (3) Where any person is discharging or depositing or causing or permitting the discharge or deposit of any material of any kind into or in or near any well,

lake,

lake, river, pond, spring, stream, reservoir or other body of water or watercourse that, in the opinion of the Commission, may impair the quality of the water in such well, lake, river, pond, spring, stream, reservoir or other body of water or watercourse, the Commission may apply *ex parte* to a judge of the Supreme Court or of the county or district court of the county or district in which the material is being discharged or deposited for an order prohibiting such discharge or deposit for such period not exceeding twenty-one days and on such terms and conditions as the judge deems proper, and such order may, on application to a judge of the Supreme Court or of the county or district court of the county or district in which the material is being discharged or deposited, be continued for such period and on such terms and conditions as the judge deems proper.

4. Subsection 5 of section 28a of *The Ontario Water Resources Commission Act*, as re-enacted by subsection 3 of section 5 of *The Ontario Water Resources Commission Amendment Act, 1964*, is amended by adding at the end thereof "or require such person or owner to take such measures in relation to such flowing, leaking, diversion or release of water as the notice requires", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 281, s. 28a,  
subs. 5  
(1964,  
c. 86, s. 5,  
subs. 3),  
amended

- (5) Where the flowing or leaking of water from a well, or the diversion, flowing or release of water from or by means of a hole or excavation made in the ground for any purpose other than the taking of water, interferes, in the opinion of the Commission, with any public or private interest in any water, the Commission may, by notice served on or sent to the person who constructed or made such well, hole or excavation or to the registered owner of the land in which such well, hole or excavation is located, require the person or owner to stop or regulate such flowing, leaking, diversion or release of water in such manner and within such time as the Commission directs, or require such person or owner to take such measures in relation to such flowing, leaking, diversion or release of water as the notice requires.
- Flowing or  
leaking of  
water from  
well, etc.,  
regulated

5. Section 32 of *The Ontario Water Resources Commission Act*, as amended by section 10 of *The Ontario Water Resources Commission Amendment Act, 1961-62* and section 5 of *The Ontario Water Resources Commission Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 281, s. 32,  
re-enacted



Establish-  
ment or  
extension of  
sewage  
works in  
or into  
another  
muni-  
cipality, etc.

32.—(1) Where any municipality contemplates establishing or extending its sewage works in or into another municipality or territory without municipal organization, the Commission shall, before giving its approval under section 31, hold a public hearing and give at least ten days notice of the hearing to the clerk of each other municipality concerned and to such other persons and in such manner as the Commission may direct.

Hearing

(2) Any public hearing required by this section may be held by any member of the Commission, and he shall report thereon to the Commission.

Powers of  
muni-  
cipality after  
approval

(3) Where the Commission has given its approval under section 31 to an establishment or extension under subsection 1, the municipality undertaking the establishment or extension may enter upon, take and use such lands in such other municipality or municipalities or territory without municipal organization as may be necessary, and for that purpose has the same powers within such municipality or municipalities or territory as it has within its own municipality, and paragraph 83 of subsection 1 of section 379 of *The Municipal Act* does not apply.

R.S.O. 1960,  
c. 249

Commission  
may vary  
approval

(4) The Commission may amend or vary any approval given under section 31 to an establishment or extension under subsection 1, but before so acting the Commission shall comply with the requirements of subsection 1 with respect to the holding of a public hearing and the giving of notice thereof.

Application  
to Board

(5) Where the Commission has given its approval under section 31 to an establishment or extension under subsection 1, the municipality undertaking the establishment or extension, before proceeding therewith, may apply to the Board for an order,

(a) stopping up and closing any highway, road or road allowance, temporarily or permanently, for the purpose of allowing the establishment or extension to be carried on and vesting it in the municipality undertaking the establishment or extension, and providing for the opening of another highway, road or road allowance in lieu of the highway, road or road allowance so stopped up and closed, and section 91 of *The Registry Act* does not apply;

R.S.O. 1960,  
c. 348

(b)



- (b) ordering that any building restrictions, covenants running with the land or any limitations placed upon the estate or interest of any person in any lands upon or through which it is proposed that the establishment or extension may be constructed shall be terminated and shall be no longer operative or binding upon or against any person, and directing that any such order be registered under *The R.S.O. 1960, c. 348 Registry Act*; and

- (c) fixing the compensation for lands taken or injuriously affected in the construction, maintenance or operation of the establishment or extension,

and notice of the application shall be given to the clerk of each other municipality concerned and to such other persons and in such manner as the Board may direct.

- (6) The registration of an order under clause *b* of subsection 5 is a bar to any action or proceeding taken by any person claiming any right or benefit under or by reason of any such restrictions, covenants, interests, estate or title in the lands described in the order. Registration of order
- (7) Where sewage works of a municipality are established or extended in or into another municipality, the municipality in or into which the sewage works are established or extended may make an agreement with the owner of the sewage works for the connecting with and the use of the sewage works. Agreements as to use
- (8) Where a municipality in or into which sewage works are established or extended is unable to make an agreement under subsection 7, the Board, upon an application authorized by by-law of its council, may confer the right to make use of the sewage works upon the applicant municipality and the inhabitants thereof whose properties may be conveniently served by the sewage works, and prescribe the terms and conditions of such use. Application by municipality
- (9) Where an agreement is made under subsection 7 or an order is made under subsection 8, the municipality in or into which the sewage works are established or extended may assess, levy and collect as taxes the amounts to be paid under the agreement or order in Municipality may collect as taxes amounts agreed or ordered to be paid

the same manner and to the same extent as if the municipality itself were proposing to construct, were constructing or had constructed the works or were operating and maintaining the works.

Application  
of subss. 1,  
2, 4 to  
person

- (10) Subsections 1, 2 and 4 apply *mutatis mutandis* to a person who contemplates extending his sewage works from one municipality into another municipality or into territory without municipal organization.

R.S.O. 1960,  
c. 281,  
amended

- 6.** *The Ontario Water Resources Commission Act* is amended by adding thereto the following section:

Establish-  
ment or  
extension  
within a  
municipality  
of sewage  
treatment  
works

- 32a.—(1) Where, in any municipality, the municipality or a person contemplates establishing or extending a sewage treatment works within the municipality, the Commission may, before giving its approval under section 31, hold a public hearing, in which case the Commission shall give at least ten days notice of the hearing to the clerk of the municipality and to such other persons and in such manner as the Commission may direct.

Hearing

- (2) Any public hearing under subsection 1 may be held by any member of the Commission and he shall report thereon to the Commission.

Commission  
may vary  
approval

- (3) The Commission may amend or vary any approval given under section 31 to an establishment or extension under subsection 1 and, before so acting, the Commission may hold a public hearing, in which case it shall give notice thereof in accordance with subsection 1.

R.S.O. 1960,  
c. 281, s. 40,  
subs. 1,  
par. 1,  
cl. a,  
re-enacted

- 7.** Clause *a* of paragraph 1 of subsection 1 of section 40 of *The Ontario Water Resources Commission Act* is repealed and the following substituted therefor:

- (a) the proportion payable by the municipality or municipalities party or parties to the project, as adjusted by the Commission, of the total amount of interest and expenses of debt service payable by the Commission in each such year in respect of all borrowings of the Commission from time to time outstanding and made by the Commission at any time before or after the making of such agreement for the purpose of meeting,

- (i) the cost or estimated cost of all projects, except projects under agreements referred to in subsection 1a, or

- (ii) the cost or estimated cost of all projects referred to in subsection 1a,

at any time theretofore or thereafter acquired, provided or constructed or in course of acquisition, provision or construction by the Commission pursuant to any agreement or agreements, or for any other purpose of the Commission respecting such projects, including the refunding or repayment in whole or in part of any such borrowings.

8. Subsection 4 of section 41 of *The Ontario Water Resources Commission Act* is amended by striking out "sewer" in the fourth line and inserting in lieu thereof "water works", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 281, s. 41,  
subs. 4,  
amended

- (4) Every water works rate or water service rate imposed under this section shall, in so far as is practicable and subject to this section, be imposed in the same manner and with and subject to the same provisions as apply to a water works rate or sewage service rate, respectively, under section 380 of *The Municipal Act*, and that section applies *mutatis mutandis* to the imposition of such rates.

R.S.O. 1960,  
c. 249

9. Subsection 4 of section 42 of *The Ontario Water Resources Commission Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 281, s. 42,  
subs. 4,  
re-enacted

- (4) A municipality may pay and the Commission may accept,

Prepayment

- (a) in advance of the time that it would otherwise be payable, any sum in respect of any sum mentioned in section 40; and

- (b) any sum to reduce the cost of a project.

10. *The Ontario Water Resources Commission Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 281,  
amended

#### PUBLIC WATER OR SEWAGE SERVICE AREA

46a.—(1) In this section,

Interpre-  
tation

- (a) "sewage service" means the acceptance, collection, transmission, storage, treatment and disposal of sewage, or any one or more of them;

(b)

- (b) "water service" means the taking, collection, production, treatment, storage, supply, transmission, distribution, sale, purchase and use of water, or any one or more of them.

Area of  
public water  
or sewage  
service

- (2) Notwithstanding any general or special Act or any regulation or order made thereunder, where, in the opinion of the Commission, it is in the public interest to do so, the Commission may, with the approval of the Minister, make an order defining and designating an area as an area of public water service or an area of public sewage service, and, by order from time to time, for the purpose of controlling, regulating, prohibiting, requiring or providing water service or sewage service in the area, may,

- (a) impose such terms and conditions in the area as the Commission deems necessary;
- (b) require that any contract with respect to water service or sewage service in the area be terminated or amended in accordance with the order; and
- (c) fix and impose rates or charges upon any municipality or person in the area for the provision by the Commission of water service or sewage service to the municipality or person.

Termination  
or amend-  
ment of  
contracts

- (3) Where an order is made by the Commission requiring that any contract be terminated or amended, such contract shall be deemed to be terminated and no longer operative or binding upon or against any municipality or person or shall be deemed to be amended, as the case may be, in accordance with the order.

Hearing

- (4) The Commission shall, before making an order under subsection 2, hold a public hearing and give at least twenty-one days notice of the hearing to the clerk of such municipality or municipalities and to such person or persons and in such manner as the Commission may direct.

Amending  
order

- (5) The Commission may amend the terms and conditions in any order, and, with the approval of the Minister, may amend the definition or designation of an area in any order, but, before amending the definition or designation of an area, the Commission

shall



shall comply with the requirements of subsection 4 with respect to the holding of a hearing and the giving of notice thereof.

- (6) Any public hearing required by this section shall <sup>Hearing before two members</sup> be held by not fewer than two members of the Commission, and they shall report thereon to the Commission.
- (7) A copy of an order of the Commission made under this section shall be sent by the secretary of the Commission by registered mail to the clerk of every municipality and to every person named in the order, and to such other persons as the Commission may direct. <sup>Copies of order</sup>
- (8) Upon the petition of, <sup>Petition re definition of area</sup>
- (a) any municipality affected by an order under this section;
  - (b) any person who is a party to a contract terminated or amended by an order under this section; or
  - (c) any owner or occupant of land in an area of public water service or an area of public sewage service who is affected by an order under this section in a different manner and to a different extent than all other owners or occupants of land in the area,

filed with the clerk of the Executive Council within twenty-eight days after the mailing of copies of the order under subsection 7, the Lieutenant Governor in Council may confirm, vary or rescind the definition or designation of the area in the order, and such confirmation, variation or rescission is binding upon the Commission and such municipality, person, owner or occupant.

- (9) Where a contract is terminated or amended by an order under this section, the Commission shall make <sup>Compensation</sup> due compensation to any municipality or person named in the contract as a party thereto for any damage necessarily resulting from the termination or amendment of the contract, as the case may be, beyond any advantage that it or he may derive from water service or sewage service provided under the order.



Determina-  
tion of com-  
pensation

R.S.O. 1960,  
c. 274

Muni-  
cipality may  
raise money  
for pay-  
ments under  
order

Rates in  
defined  
area

Offence

Petition  
re rates  
and charges

- (10) Subject to this section, a claim for compensation, if not agreed upon by the Commission and the municipality or person making the claim, shall be determined by the Board and not otherwise, and *The Ontario Municipal Board Act*, except section 94, applies as far as is practicable to every such claim.
- (11) For the purpose of meeting periodic payments to the Commission under an order made under this section, a municipality may raise money by any method or methods authorized by law or by any combination thereof as if the municipality itself were proposing to construct, were constructing or had constructed water works or sewage works or were operating and maintaining water works or sewage works.
- (12) For the purpose of meeting periodic payments to the Commission under an order made under this section, a municipality may, with the approval of the Board, by by-law define an area that in the opinion of the council of the municipality will derive a benefit from the water service or sewage service provided under the order and may impose a rate or charge upon the owners or occupants of all land in such defined area.
- (13) Every municipality or person who contravenes any order made under this section is guilty of an offence and on summary conviction is liable to a fine of \$500 for every day upon which such contravention continues.
- (14) Upon the petition of any municipality or person required to pay a rate or charge imposed by an order under this section, filed with the clerk of the Executive Council within twenty-eight days after the mailing of copies of the order under subsection 7, the Lieutenant Governor in Council may confirm, vary or rescind such rate or charge or may refer the petition to the Board or to such person or persons as the Lieutenant Governor in Council may designate, and the Board or such person or persons may confirm, vary or rescind such rate or charge, and any order made by the Lieutenant Governor in Council or the Board or such person or persons with respect thereto is binding upon the Commission and the municipality and person required to pay such rate or charge.

11.—(1) Clause *e* of subsection 1 of section 47 of *The Ontario Water Resources Commission Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 281, s. 47,  
subs. 1,  
cl. *e*,  
re-enacted

- (e) regulating and controlling the location, construction, repair, renewal or alteration of plumbing and the material to be used in the construction thereof, and requiring municipalities to carry out such inspections with respect to plumbing as may be prescribed;
- (ea) adopting by reference, in whole or in part, with such changes as the Commission considers necessary, the standards made or adopted by the Canadian Standards Association respecting pipes, fittings, fixtures and materials used in plumbing, and providing for the testing and marking of such pipes, fittings, fixtures and materials or any class or classes thereof by the Canadian Standards Association and prohibiting the use in plumbing of such pipes, fittings, fixtures and materials that are not marked as approved by the Canadian Standards Association;

(eb) defining plumbing for the purposes of the regulations.

(2) Clause *ha* of subsection 1 of the said section 47, as enacted by subsection 1 of section 10 of *The Ontario Water Resources Commission Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 281, s. 47,  
subs. 1,  
cl. *ha*  
(1964,  
c. 86, s. 10,  
subs. 1),  
re-enacted

- (ha) requiring and regulating the storage, treatment and disposal of sewage in boats and ships or any class or classes thereof and the equipment therefor, and prohibiting the use and installation of equipment for the storage, treatment or disposal of sewage in boats and ships or any class or classes thereof unless the equipment and installation thereof conform to the regulations, and providing for and requiring the approval of the Commission for any such equipment, and prohibiting and regulating the discharge of sewage from such boats and ships or any class or classes thereof.

(3) Subsection 1 of the said section 47 is amended by adding thereto the following clause:

R.S.O. 1960,  
c. 281, s. 47,  
subs. 1,  
amended

- (ia) requiring and providing for the licensing of persons who operate equipment for the boring or drilling of wells for water and prescribing the qualifications of persons to whom licences may be issued, and prescribing and charging fees for such licences, and providing for the revocation and suspension of licences.

R.S.O. 1960,  
c. 281,  
amended

**12.** *The Ontario Water Resources Commission Act* is amended by adding thereto the following section:

Plumbing  
provisions  
in by-laws

47*d.* Notwithstanding any general or special Act, no provision of a by-law of a municipality, heretofore or hereafter passed, with respect to any matter that may be dealt with by regulation under clauses *e*, *ea* and *eb* of subsection 1 of section 47 has any force or effect.

R.S.O. 1960,  
c. 281,  
amended

**13.** *The Ontario Water Resources Commission Act* is amended by adding thereto the following section:

Discharge  
of sewage  
into sewage  
works

50*a.*—(1) Where the discharge or deposit of sewage into a sewage works, in the opinion of the Commission, may interfere with the proper operation of a sewage works, the Commission may, by notice served on or sent to the municipality that or the person who discharges or deposits or causes or permits the discharge or deposit of sewage, require the municipality or person to stop or regulate such discharge or deposit or to take such measures in relation thereto in such manner and within such time as the notice may require.

Offence

(2) Every municipality that or person who contravenes a notice under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$200 for every day upon which the contravention continues.

Commence-  
ment

**14.**—(1) This Act, except sections 7 and 9, comes into force on the day it receives Royal Assent.

Idem

(2) Section 9 shall be deemed to have come into force on the 28th day of March, 1956.

Idem

(3) Section 7 shall be deemed to have come into force on the 1st day of January, 1966.

Commence-  
ment

**15.** This Act may be cited as *The Ontario Water Resources Commission Amendment Act, 1966*.

## CHAPTER 109

**An Act to amend The Parks Assistance Act**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 3 of *The Parks Assistance Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 285, s. 3,  
subs. 2,  
re-enacted

- (2) The assistance granted under subsection 1 in respect of any one park shall not exceed \$100,000 or 50 per cent of the total cost of acquiring the land and developing the park or of converting a provincial or public park into an approved park, whichever is the lesser.
- (3) The assistance granted under clause *a* of subsection 1 for the acquisition of land shall not exceed \$25,000 or 50 per cent of the total cost of acquiring the land, whichever is the lesser.

Limitation,  
total grant

Limitation,  
acquisition  
of land

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Parks Assistance Amendment Act, 1966*.

Short title





CHAPTER 110

An Act to amend The Parole Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1. Section 2 of *The Parole Act* is amended by striking out “five” in the second line and inserting in lieu thereof “seven”<sup>R.S.O. 1960, c. 286, s. 2, amended</sup> and by striking out “three” in the third line and inserting in lieu thereof “five”, so that the section shall read as follows:
- 2. The Board of Parole shall be composed of not more than seven persons appointed by the Lieutenant Governor in Council, of whom five shall be full-time members.<sup>Composition of Board</sup>
- 3. This Act comes into force on the day it receives Royal Assent.<sup>Commence-ment</sup>
- 4. This Act may be cited as *The Parole Amendment Act*,<sup>Short title</sup> 1966.



## CHAPTER 111

## The Pawnbrokers Act, 1966

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "municipality" means a city, town, village or township;
- (b) "pawnbroker" means a person who carries on the business of taking by way of pawn or pledge any article for the repayment of money lent thereon;
- (c) "pawner" means a person who delivers an article for pawn to a pawnbroker;
- (d) "pledge" means an article pawned with a pawnbroker;
- (e) "shop" includes any place where the business of a pawnbroker is carried on. R.S.O. 1960, c. 290, s. 1 (1), *amended*.

**2.—**(1) No person shall carry on the business of a pawn-<sup>Licences</sup> broker unless he obtains a licence therefor under the hand of the treasurer of the municipality in which he carries on or proposes to carry on business or unless he obtains a renewal of his licence annually, but no licence shall be issued or renewed unless under the authority of a by-law of the municipality. R.S.O. 1960, c. 290, s. 2 (1), *amended*.

(2) The sum of \$60, or such other sum as the council of<sup>Fee for licence</sup> the municipality may prescribe, shall be paid for every licence or renewal thereof to the treasurer for the use of the municipality. R.S.O. 1960, c. 290, s. 2 (3), *part, amended*.

**3.** No person shall, by virtue of one licence, carry on<sup>Licence to cover only one shop</sup> business as a pawnbroker in more than one shop. R.S.O. 1960, c. 290, s. 3, *amended*.

Licence to  
partners

**4.** Where two or more persons carry on business as pawnbrokers in partnership in the same shop, only one licence is necessary. R.S.O. 1960, c. 290, s. 4, *amended*.

Security

**5.** Every pawnbroker shall give to the municipality security to the satisfaction of the treasurer in the sum of \$2,000 for the due observance by him of this Act. R.S.O. 1960, c. 290, s. 2 (3), *part, amended*.

Business  
sign and  
notice of  
rights,  
rates and  
charges

**6.** Every pawnbroker shall,

- (a) keep exhibited in large, legible characters on a sign over the front door of his shop his name and the word "Pawnbroker"; and
  - (b) keep displayed conspicuously in his shop a notice in large, legible characters so as to be visible to persons pawning articles or redeeming pledges, showing,
    - (i) rights of redemption of pledges,
    - (ii) rates of interest authorized by law to be taken by pawnbrokers for sums lent, and
    - (iii) maximum charges authorized by this Act.
- R.S.O. 1960, c. 290, s. 6 (1), *amended*.

Restrictions  
upon pawn-  
brokers

**7.** A pawnbroker shall not,

- (a) purchase any article or receive or take any article in pawn from any person who appears to the pawnbroker to be under the age of eighteen years or to be under the influence of alcohol or drugs;
- (b) purchase or take in pawn a pawnticket issued by himself or any other pawnbroker;
- (c) employ or permit any person under sixteen years of age to take any pledge in pawn;
- (d) carry on business as a pawnbroker on Sunday, Good Friday, Christmas Day or any day appointed by proclamation of the Governor General or the Lieutenant Governor as a public holiday, or on any other day before 8 o'clock in the morning or after 8 o'clock in the evening;
- (e) purchase, sell or otherwise deal with any pledge while in pawn with him, except in accordance with this Act;

(f)

- (f) suffer any pledge while in pawn with him to be redeemed with a view to his purchasing it;
- (g) make any contract or agreement with any person pawning or offering to pawn any article, or with the owner thereof, for the purchase, sale or disposition thereof, within the time of redemption;
- (h) take in pawn any cross, medal, insignia or other decoration granted by or with the approval of Her Majesty; or
- (i) melt any gold, silver, platinum or other precious metal that was pawned with him, that was not redeemed, and that has become his absolute property under this Act, unless he has been authorized so to do by the council of the municipality in which he carries on business. R.S.O. 1960, c. 290, ss. 17, 25 (1), *amended*.

8.—(1) Every pawnbroker who takes an article in pawn shall, before any money is lent thereon, enter in a book to be kept by him for that purpose, <sup>Pawn-broker's book</sup>

- (a) the day, month and year in which the pledge was taken;
- (b) the full name, address and a description of the person delivering the article for pawn reasonably sufficient to identify such person, including sex, and estimated age, height, complexion and full particulars of identification if produced and, where the person who delivers the article for pawn states that he is the agent of its owner for the purpose of pawning it, the name and address of the owner;
- (c) a description of the pledge reasonably sufficient to identify it; and
- (d) the sum lent on the pledge. R.S.O. 1960, c. 290, c. 7 (1), *amended*.

(2) Where a person tendering an article for pawn refuses or is unable to produce any identification, the pawnbroker shall enter in his book a note thereof, which shall be deemed to constitute compliance with the identification requirements of clause b of subsection 1. <sup>Where no identification</sup> *New*.

(3) The entries shall be numbered in the book consecutively in the order in which the articles are pawned. R.S.O. 1960, c. 290, s. 7 (4), *amended*. <sup>Entries to be numbered consecutively</sup>



Pawnticket

**9.** At the time of taking an article in pawn, the pawnbroker shall give the pawner a pawnticket containing,

- (a) the pawnbroker's name and business address;
- (b) the name of the pawner;
- (c) the day, month and year in which the pledge was taken in pawn;
- (d) the number of the entry of the pledge in the pawnbroker's book;
- (e) a description of the pledge;
- (f) the sum lent on the pledge;
- (g) the rate of interest charged for the sum lent;
- (h) the charge for the pawnticket; and
- (i) the charge for storage, if any. R.S.O. 1960, c. 290, s. 8, *amended*.

Where  
article  
suspected  
to have  
been stolen

**10.** Where a pawnbroker has reasonable cause to suspect that an article offered to him has been stolen or otherwise unlawfully obtained, he shall forthwith report the matter to a member of the police force of the municipality in which he carries on business. *New*.

Alphabetical  
list of  
pawners

**11.** Every pawnbroker shall keep up to date during each year a list, arranged alphabetically, of the names of the persons who have pawned articles with him, and each such list shall be kept for not less than one year after the end of the year during which it was compiled. *New*.

Daily report  
to police

**12.—(1)** Every pawnbroker shall before noon of every business day make a report either for the chief constable or for such other person as is designated by by-law of the council of the municipality.

Contents

(2) Such reports shall contain, in respect of every transaction made on the next preceding business day, all the information required under section 8 to be entered in the pawnbroker's book.

Form

(3) Such reports may be on forms to be furnished by the municipality or may be copies of the pawnbroker's book reproduced by any means whatsoever so long as the copy is legible. R.S.O. 1960, c. 290, s. 15 (1), *amended*.

**13.** Each pledge shall be identified by a number that corresponds with the number of the pawnticket and the entry of the transaction in the pawnbroker's book, and, when the pledge is redeemed, the pawnbroker shall record the amount of interest taken and his charges and shall keep the record for not less than one year after redemption. R.S.O. 1960, c. 290, s. 11, *amended*. <sup>Identification of pledge</sup>

**14.** Every police officer and constable shall at all times be given access to and may inspect a pawnbroker's books, papers and pledges, and when so engaged may have with him such other persons as he deems advisable. R.S.O. 1960, c. 290, s. 16, *amended*. <sup>Inspection by police</sup>

**15.** Except as hereinafter provided, a pawnbroker is not bound to deliver a pledge until the pawnticket for it is produced and delivered to him. R.S.O. 1960, c. 290, s. 10, *amended*. <sup>Production of ticket</sup>

**16.** The holder for the time being of a pawnticket shall, as between the pawnor and the pawnbroker, be presumed to be the person entitled to redeem the pledge, and, subject to this Act, the pawnbroker shall accordingly, on payment of the sum lent, lawful interest and charges, deliver the pledge to the person producing the pawnticket. R.S.O. 1960, c. 290, s. 18, *amended*. <sup>Rights of holder of ticket</sup>

**17.** Notwithstanding section 16, where a pawnbroker and a pawnor agree that the pawnticket shall not be transferable and such condition is clearly shown upon the pawnticket, the pawnor only may redeem the pledge. *New*. <sup>Pawnticket may be non-transferable</sup>

**18.**—(1) Where a pledge is destroyed or damaged by or in consequence of fire, lightning or tempest or any additional peril defined in a standard fire insurance additional perils supplemental contract, the pawnbroker nevertheless is liable, on application within the period during which the pledge would have been redeemable, to pay the value of the pledge after deducting the sum lent, lawful interest and charges, such value to be the sum lent, lawful interest and charges and 25 per cent on the sum lent. R.S.O. 1960, c. 290, s. 19 (1), *amended*. <sup>Liability of pawnbroker in case of fire</sup>

(2) A pawnbroker has an insurable interest in the pledge to the extent of the value so estimated. R.S.O. 1960, c. 290, s. 19 (2). <sup>Insurable interest</sup>

**19.** Where the sum lent upon a pledge is \$15 or less, it may be redeemed at any time within one year after the day on which it was pawned by tendering to the pawnbroker the <sup>Right of redemption where sum lent \$15 or less</sup>

pawnticket,

pawnticket, the sum borrowed and the lawful interest and charges, and, if it is not so redeemed, it becomes the pawnbroker's absolute property. R.S.O. 1960, c. 290, s. 23 (1), *amended*.

*Idem*,  
where sum  
lent is  
more than  
\$15 and  
not more  
than \$30

**20.**—(1) Where the sum lent upon a pledge is more than \$15 but not more than \$30, the pawnbroker may at any time after it has been in pawn for at least one year send to the pawner by first-class prepaid mail to the address shown in his book to be the address of the pawner a notice identifying the transaction and stating that, unless the pledge is redeemed within the fifteen days next after the day of mailing the notice, it becomes the pawnbroker's absolute property.

*Idem*

(2) Any such pledge may be redeemed at any time within the fifteen days next after the day of mailing the notice by tendering to the pawnbroker the pawnticket, the sum borrowed and the lawful interest and charges, and, if it is not so redeemed, it becomes the pawnbroker's absolute property. R.S.O. 1960, c. 290, s. 23 (2), *amended*.

*Idem*,  
where sum  
lent is  
more than  
\$30:

notice by  
mail and  
newspaper

**21.**—(1) Where the sum lent upon a pledge is more than \$30, the pawnbroker may at any time after it has been in pawn for at least one year send to the pawner by first-class prepaid mail to the address shown by his book to be the address of the pawner a notice identifying the transaction and stating that, unless the pledge is redeemed within the fifteen days next after the day of mailing the notice, a final notice will be published in a newspaper having general circulation in the municipality in which the pawnbroker carries on business identifying the transaction and stating that, unless the pledge is redeemed within the fifteen days next after the day of publication of the notice, it becomes the pawnbroker's absolute property.

*Idem*

(2) If the pledge is not redeemed within the fifteen days next after the mailing of the first notice mentioned in subsection 1, the pawnbroker may at any time thereafter give the final notice mentioned in that subsection.

*Idem*

(3) Any such pledge may be redeemed at any time within the fifteen days next after the mailing of the first notice mentioned in subsection 1 or within the fifteen days next after the day of publication of the final notice mentioned in that subsection, as the case may be, by tendering to the pawnbroker the pawnticket, the sum borrowed and the lawful interest and charges, and, if it is not so redeemed, it becomes the pawnbroker's absolute property. *New*.

**22.**—(1) The one-year period mentioned in sections 19, 20 <sup>Calculation of 1-year period</sup> and 21 commences on the day following the day on which the pledge was put in pawn and ends with the close of business on the 365th day thereafter.

(2) The fifteen-day period mentioned in sections 20 and 21 commences on the day following the day on which the notice was mailed or the final notice was published, as the case may be, and ends with the close of business on the fifteenth day thereafter. <sup>Calculation of 15-day period</sup>

(3) When a period mentioned in subsection 1 or 2 ends on a <sup>Exception</sup> day on which business is not carried on, the next business day is included in the period. *New.*

**23.** As soon as a notice mentioned in section 20 or 21 has <sup>Affidavit as to notices</sup> been sent or published, the pawnbroker shall make or cause to be made an affidavit as to the sending or publication, as the case may be, of the notice, and such affidavit shall be kept by the pawnbroker for at least two years. *New.*

**24.**—(1) If, during the period that a pledge is redeemable, <sup>Where pledge not given back upon tender of moneys owing</sup> the pawner tenders to the pawnbroker the pawnticket, the sum lent and the lawful interest and charges and the pawnbroker neglects or refuses without reasonable cause to deliver back the goods so pawned, the pawner may make oath thereof before a justice of the peace, who shall summon such person before him, and shall examine on oath the parties and their witnesses touching the matter.

(2) If tender of the pawnticket with the sum lent and the lawful interest and charges is proved to have been made within such time, then, on payment by the pawner of the total amount owed or, if the pawnbroker refuses to accept such amount on tender before the justice, the justice shall, by order, direct the pledge to be forthwith delivered to the pawner or, if it is not so delivered, shall direct the pawnbroker to make satisfaction for the value thereof to be fixed by the justice in accordance with section 18, and, if the pawnbroker neglects or refuses to deliver up the pledge or to make satisfaction for the value so fixed, the justice shall commit him to imprisonment for a period of not more than three months or until he delivers up the pledge or makes satisfaction for the value so fixed. R.S.O. 1960, c. 290, s. 20, *amended.* <sup>Tender and consequences of refusal</sup>

**25.** If a person entitled and offering to redeem a pledge <sup>Compensation for depreciation of pledge</sup> shows to the satisfaction of a justice of the peace that the pledge has become or has been rendered of less value than it was at the time of the pawning thereof by or through the default, neglect or wilful misbehaviour of the pawnbroker,



the justice may award a reasonable satisfaction to the owner of the pledge in respect of the damage, and the amount awarded shall be deducted from the amount payable to the pawnbroker or shall be paid by the pawnbroker, as the case requires, in such manner as the justice directs, and in case of default the pawnbroker is liable to the punishment mentioned in section 24. R.S.O. 1960, c. 290, s. 21, *amended*.

Lost  
pawntickets

**26.**—(1) Any person claiming to be entitled to redeem a pledge but not holding the pawnticket may apply to the pawnbroker for a copy of the pawnticket and a printed form of affidavit, which the pawnbroker shall deliver to him upon payment of the charge therefor.

Idem

(2) If the claimant proves to the satisfaction of a justice of the peace his right to redeem the pledge and on or before the third day after the day on which the form of affidavit is delivered to him by the pawnbroker, exclusive of days on which the pawnbroker is prohibited from carrying on business, delivers back to the pawnbroker the affidavit duly sworn and endorsed with a certificate of the justice that such proof has been made, the claimant has, as between him and the pawnbroker, all the rights and remedies that he would have had if he had produced his pawnticket.

Idem

(3) The pawnbroker is not bound to deliver the pledge to any person until the expiration of such three days.

Idem

(4) The pawnbroker shall be indemnified for delivering the pledge, or otherwise acting in conformity with the affidavit and certificate, unless he has notice that the affidavit is fraudulent or false in a material particular. R.S.O. 1960, c. 290, s. 22 (2-5).

Maximum  
charges

**27.** In addition to his profit on the sum lent, being interest thereon at not more than the lawful rate, a pawnbroker is entitled to make the following charges:

1. For a pawnticket, not more than 20 cents.
2. For storage of a pledge, not more than 10 cents per month per cubic foot or part thereof of storage space taken up by the pledge.
3. For a copy of a pawnticket and printed form of affidavit, not more than 20 cents. R.S.O. 1960, c. 290, ss. 9, 22 (6), *amended*.

Offence

**28.**—(1) Every person or pawnbroker, as the case may be, who without reasonable excuse contravenes or fails to comply with any provision of this Act is guilty of an offence and on



summary conviction is liable to a fine of not more than \$500. R.S.O. 1960, c. 290, ss. 2 (4), 6 (2), 14 (1), 15 (2), 25 (2), *amended*.

(2) An information may be laid for any offence against this Act within twelve months next after the offence was committed. R.S.O. 1960, c. 290, s. 29. Limitation

**29.**—(1) This Act applies to pawn transactions made on or after the 1st day of September, 1966. Application  
of Act

(2) Notwithstanding section 30, *The Pawnbrokers Act* continues to apply to pawn transactions made before the 1st day of September, 1966. Application  
of R.S.O.  
1960, c. 290

**30.** *The Pawnbrokers Act* is repealed.

R.S.O. 1960,  
c. 290,  
repealed

**31.** This Act comes into force on the 1st day of September, 1966. Commence-  
ment

**32.** This Act may be cited as *The Pawnbrokers Act, 1966*. Short title



## CHAPTER 112

## An Act to amend The Penal and Reform Institutions Inspection Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 1 of *The Penal and Reform Institutions Inspection Act*, as amended by section 1 of *The Penal and Reform Institutions Inspection Amendment Act, 1964*, is further amended by striking out "or lock-up" in the sixth line, so that the clause shall read as follows: R.S.O. 1960,  
c. 291, s. 1,  
cl. c,  
amended

(c) "penal and reform institution" means a reformatory under *The Reformatories Act*, The Andrew Mercer Ontario Reformatory under *The Andrew Mercer Reformatory Act*, an industrial farm under *The Industrial Farms Act* and a jail under *The Municipal Act* or under *The Jails Act*, and includes any other prison, reformatory, industrial farm, jail or other institution or place for confinement or detention of prisoners and other persons charged with or convicted of any offence against the laws of Canada or Ontario, with respect to which by any general or special Act of Canada or Ontario this Act is made applicable. R.S.O. 1960,  
cc. 347, 15,  
185, 249,  
195

2. Subsection 1 of section 5 of *The Penal and Reform Institutions Inspection Act*, as amended by subsection 1 of section 2 of *The Penal and Reform Institutions Inspection Amendment Act, 1964*, is further amended by striking out "or lock-up" in the second line, so that the subsection shall read as follows: R.S.O. 1960,  
c. 291, s. 5,  
subs. 1,  
amended

(1) Subject to subsection 2, no by-law, rule or regulation of a municipality relating to a jail established or maintained by it has force or shall take effect until approved by the Minister. Municipal  
regulations  
for jails

R.S.O. 1960,  
c. 291, s. 6,  
repealed

**3.** Section 6 of *The Penal and Reform Institutions Inspection Act* is repealed.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Penal and Reform Institutions Inspection Amendment Act, 1966*.

## CHAPTER 113

**An Act to modify the Rule against Perpetuities**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,Interpre-  
tation

- (a) "court" means the Supreme Court;
- (b) "in being" means living or *en ventre sa mere*;
- (c) "limitation" includes any provision whereby property or any interest in property, or any right, power or authority over property, is disposed of, created or conferred.

**2.** The rule of law known as the rule against perpetuities shall continue to have full effect except as provided in this Act.

Rule  
against  
perpetuities  
to continue;  
saving

**3.** No limitation creating a contingent interest in real or personal property shall be treated as or declared to be invalid as violating the rule against perpetuities by reason only of the fact that there is a possibility of such interest vesting beyond the perpetuity period.

Possibility  
of vesting  
beyond  
period

**4.—(1)** Every contingent interest in real or personal property that is capable of vesting within or beyond the perpetuity period shall be presumptively valid until actual events establish,

Pre-  
sumption of  
validity and  
"Wait and  
See"

- (a) that the interest is incapable of vesting within the perpetuity period, in which case the interest, unless validated by the application of sections 8 and 9, shall be treated as void or declared to be void; or
- (b) that the interest is incapable of vesting beyond the perpetuity period, in which case the interest shall be treated as valid or declared to be valid.



General  
power of  
appoint-  
ment

(2) A limitation conferring a general power of appointment, which but for this section would be void on the ground that it might become exercisable beyond the perpetuity period, shall be presumptively valid until such time, if any, as it becomes established by actual events that the power cannot be exercised within the perpetuity period.

Special  
power of  
appoint-  
ment, etc.

(3) A limitation conferring any power, option or other right, other than a general power of appointment, which apart from this section would have been void on the ground that it might be exercised beyond the perpetuity period, shall be presumptively valid, and shall be declared or treated as void for remoteness only if, and so far as, the right is not fully exercised within the perpetuity period.

Applications  
to determine  
validity

**5.**—(1) An executor or a trustee of any property or any person interested under, or on the validity or invalidity of, an interest in such property may at any time apply to the court for a declaration as to the validity or invalidity with respect to the rule against perpetuities of an interest in that property, and the court may on such application make an order as to validity or invalidity of an interest based on the facts existing and the events that have occurred at the time of the application and having regard to sections 8 and 9.

Interim  
income

(2) Pending the treatment or declaration of a presumptively valid interest within the meaning of subsection 1 of section 4 as valid or invalid, the income arising from such interest and not otherwise disposed of shall be treated as income arising from a valid contingent interest, and any uncertainty whether the limitation will ultimately prove to be void for remoteness shall be disregarded.

Measure-  
ment of  
perpetuity  
period

**6.**—(1) Except as provided in section 9, subsection 3 of section 13 and subsection 2 of section 15, the perpetuity period shall be measured in the same way as if this Act had not been passed, but, in measuring that period by including a life in being when the interest was created, no life shall be included other than that of any person whose life, at the time the interest was created, limits or is a relevant factor that limits in some way the period within which the conditions for vesting of the interest may occur.

Idem

(2) A life that is a relevant factor in limiting the time for vesting of any part of a gift to a class shall be a relevant life in relation to the entire class.

Idem

(3) Where there is no life satisfying the conditions of subsection 1, the perpetuity period shall be twenty-one years.

7.—(1) Where, in any proceeding respecting the rule against perpetuities, a question arises that turns on the ability of a person to have a child at some future time, then,

Pre-  
sumptions  
and evidence  
as to future  
parenthood

(a) it shall be presumed,

(i) that a male is able to have a child at the age of fourteen years or over, but not under that age, and

(ii) that a female is able to have a child at the age of twelve years or over, but not under that age or over the age of fifty-five years; but,

(b) in the case of a living person, evidence may be given to show that he or she will or will not be able to have a child at the time in question.

(2) Subject to subsection 3, where any question is decided in relation to a limitation of interest by treating a person as able or unable to have a child at a particular time, then he or she shall be so treated for the purpose of any question that may arise concerning the rule against perpetuities in relation to the same limitation or interest notwithstanding that the evidence on which the finding of ability or inability to have a child at a particular time is proved by subsequent events to have been erroneous.

(3) Where a question is decided by treating a person as unable to have a child at a particular time and such person subsequently has a child or children at that time, the court may make such order as it sees fit to protect the right that such child or children would have had in the property concerned as if such question had not been decided and as if such child or children would, apart from such decision, have been entitled to a right in the property not in itself invalid by the application of the rule against perpetuities as modified by this Act.

(4) The possibility that a person may at any time have a child by adoption, legitimation or by means other than by procreating or giving birth to a child shall not be considered in deciding any question that turns on the ability of a person to have a child at some particular time, but, if a person does subsequently have a child or children by such means, then subsection 3 applies to such child or children.

8.—(1) Where a limitation creates an interest in real or personal property by reference to the attainment by any person or persons of a specified age exceeding twenty-one

Reduction  
of age

years,

years, and actual events existing at the time the interest was created or at any subsequent time establish,

- (a) that the interest, apart from this section, would be void as incapable of vesting within the perpetuity period; but
- (b) that it would not be void if the specified age had been twenty-one years,

the limitation shall be read as if, instead of referring to the age specified, it had referred to the age nearest the age specified that would, if specified instead, have prevented the interest from being so void.

Exclusion  
of class  
members  
to avoid  
remoteness

(2) Where the inclusion of any persons, being potential members of a class or unborn persons who at birth would become members or potential members of the class, prevents subsection 1 from operating to save a limitation creating an interest in favour of a class of persons from being void for remoteness, such persons shall be excluded from the class for all purposes of the limitation, and the limitation takes effect accordingly.

Idem

(3) Where a limitation creates an interest in favour of a class to which subsection 2 does not apply and actual events at the time of the creation of the interest or at any subsequent time establish that, apart from this subsection, the inclusion of any persons, being potential members of a class or unborn persons who at birth would become members or potential members of the class, would cause the limitation to the class to be void for remoteness, such persons shall be excluded from the class for all purposes of the limitation, and the limitation takes effect accordingly.

Interpre-  
tation

(4) For the purposes of this section, a person shall be treated as a member of a class if in his case all the conditions identifying a member of the class are satisfied, and a person shall be treated as a potential member if in his case some only of those conditions are satisfied but there is a possibility that the remainder will in time be satisfied.

Spouses

**9.** Where any disposition is made in favour of any spouse of a person in being at the commencement of the perpetuity period, or where a limitation creates an interest in real or personal property by reference to the time of the death of the survivor of a person in being at the commencement of the perpetuity period and any spouse of that person, for the purpose of validating any such disposition or limitation, that but for this section would be void as offending the rule against

perpetuities as modified by this Act, the spouse of such person shall be deemed to be a life in being at the commencement of the perpetuity period even though such spouse was not born until after that time.

**10.**—(1) A limitation that, if it stood alone, would be valid <sup>Saving</sup> under the rule against perpetuities is not invalidated by reason only that it is preceded by one or more limitations that are invalid under the rule against perpetuities, whether or not such limitation expressly or by implication takes effect after, or is subject to, or is ulterior to and dependent upon, any such invalid limitation.

(2) Where a limitation is invalid under the rule against <sup>Acceleration of expectant interests</sup> perpetuities, any subsequent interest that, if it stood alone, would be valid shall not be prevented from being accelerated by reason only of the invalidity of the prior interest.

**11.**—(1) For the purpose of the rule against perpetuities, <sup>Powers of appointment</sup> a power of appointment shall be treated as a special power unless,

- (a) in the instrument creating the power it is expressed to be exercisable by one person only; and
- (b) it could, at all times during its currency when that person is of full age and capacity, be exercised by him so as immediately to transfer to himself the whole of the interest governed by the power without the consent of any other person or compliance with any other condition, not being a formal condition relating only to the mode of exercise of the power.

(2) A power that satisfies the conditions of clauses *a* and *b* of <sup>Idem</sup> subsection 1 shall, for the purpose of the rule against perpetuities, be treated as a general power.

(3) For the purpose of determining whether an appointment <sup>Idem</sup> made under a power of appointment exercisable by will only is void for remoteness, the power shall be treated as a general power where it would have been so treated if exercisable by deed.

**12.**—(1) The rule against perpetuities does not invalidate <sup>Administrative powers of trustees</sup> a power conferred on trustees or other persons to sell, lease, exchange or otherwise dispose of any property, or to do any other act in the administration (as opposed to the distribution) of any property including, where authorized, payment to trustees or other persons of reasonable remuneration for their services.



Application  
of subs. 1

(2) Subsection 1 applies for the purpose of enabling a power to be exercised at any time after this Act comes into force, notwithstanding that the power is conferred by an instrument that took effect before that time.

Options to  
acquire  
reversionary  
interests

**13.**—(1) The rule against perpetuities does not apply to an option to acquire for valuable consideration an interest reversionary on the term of a lease,

(a) if the option is exercisable only by the lessee or his successors in title; and

(b) if it ceases to be exercisable at or before the expiration of one year following the determination of the lease.

Application  
of subs. 1

(2) Subsection 1 applies to an agreement for a lease as it applies to a lease, and “lessee” shall be construed accordingly.

Other  
options

(3) In the case of all other options to acquire for valuable consideration any interest in land, the perpetuity period under the rule against perpetuities is twenty-one years, and any such option that according to its terms is exercisable at a date more than twenty-one years from the date of its creation is void on the expiry of twenty-one years from the date of its creation as between the person by whom it was made and the person to whom or in whose favour it was made and all persons claiming through either or both of them, and no remedy lies for giving effect to it or making restitution for its lack of effect.

Options  
to renew  
leases

(4) The rule against perpetuities does not apply nor do the provisions of subsection 3 of this section apply to options to renew a lease.

Easements,  
profits  
à prendre,  
etc.

**14.** In the case of an easement, *profit à prendre* or other similar interest to which the rule against perpetuities may be applicable, the perpetuity period shall be forty years from the time of the creation of such easement, *profit à prendre* or other similar interest, and the validity or invalidity of such easement, *profit à prendre* or other similar interest, so far as remoteness is concerned, shall be determined by actual events within such forty-year period, and the easement, *profit à prendre* or other similar interest is void only for remoteness if, and to the extent that, it fails to acquire the characteristics of a present exercisable right in the servient land within the forty-year period.

Deter-  
minable  
interests

**15.**—(1) In the case of,

(a) a possibility of reverter on the determination of a determinable fee simple; or

(b)



- (b) a possibility of a resulting trust on the determination of any determinable interest in real or personal property,

the rule against perpetuities as modified by this Act applies in relation to the provision causing the interest to be determinable as it would apply if that provision were expressed in the form of a condition subsequent giving rise on its breach to a right of re-entry or an equivalent right in the case of personal property, and, where the event that determines the determinable interest does not occur within the perpetuity period, the provision shall be treated as void for remoteness and the determinable interest becomes an absolute interest.

(2) In the case of a possibility of reverter on the determination of a determinable fee simple, or in the case of a possibility of a resulting trust on the determination of any determinable interest in any real or personal property, or in the case of a right of re-entry following on a condition subsequent, or in the case of an equivalent right in personal property, the perpetuity period shall be measured as if the event determining the prior interest were a condition to the vesting of the subsequent interest, and failing any life in being at the time the interests were created that limits or is a relevant factor that limits in some way the period within which that event may take place, the perpetuity period shall be twenty-one years from the time when the interests were created. <sup>Idem</sup>

(3) Even though some life or lives in being may be relevant in determining the perpetuity period under subsection 2, the perpetuity period for the purposes of this section shall not exceed a period of forty years from the time when the interests were created and shall be the lesser of a period of forty years and a period composed of the relevant life or lives in being and twenty-one years. <sup>Idem</sup>

**16.**—(1) A trust for a specific non-charitable purpose that creates no enforceable equitable interest in a specific person shall be construed as a power to appoint the income or the capital, as the case may be, and, unless the trust is created for an illegal purpose or a purpose contrary to public policy, the trust is valid so long as and to the extent that it is exercised either by the original trustee or his successor, within a period of twenty-one years, notwithstanding that the limitation creating the trust manifested an intention, either expressly or by implication, that the trust should or might continue for a period in excess of that period, but, in the case of such a trust that is expressed to be of perpetual duration, the court may declare the limitation to be void if the court is of opinion

that

that by so doing the result would more closely approximate the intention of the creator of the trust than the period of validity provided by this section.

Idem

(2) To the extent that the income or capital of a trust for a specific non-charitable purpose is not fully expended within a period of twenty-one years, or within any annual or other recurring period within which the limitation creating the trust provided for the expenditure of all or a specified portion of the income or the capital, the person or persons, or his or their successors, who would have been entitled to the property comprised in the trust if the trust had been invalid from the time of its creation, are entitled to such unexpended income or capital.

Rule in  
*Whitby*  
vs.  
*Mitchell*  
abolished

**17.** The rule of law prohibiting the limitation, after a life interest to an unborn person, of an interest in land to the unborn child or other issue of an unborn person is hereby abolished, but without affecting any other rule relating to perpetuities.

Rules as to  
perpetuities  
not appli-  
cable to  
employee-  
benefit  
trusts

**18.** The rules of law and statutory enactments relating to perpetuities do not apply and shall be deemed never to have applied to the trusts of a plan, trust or fund established for the purpose of providing pensions, retirement allowances, annuities, or sickness, death or other benefits, to employees or to their widows, dependants or other beneficiaries.

Application  
of Act

**19.** Except as provided in subsection 2 of section 12 and in section 18, this Act applies only to instruments that take effect after this Act comes into force, and such instruments include an instrument made in the exercise of a general or special power of appointment after this Act comes into force even though the instrument creating the power took effect before this Act comes into force.

Short title

**20.** This Act may be cited as *The Perpetuities Act, 1966*.

## CHAPTER 114

## An Act to amend The Pesticides Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *c* of section 1 of *The Pesticides Act* is amended by inserting after “out” in the second line “or enters into a contract to carry out”, so that the clause shall read as follows: R.S.O. 1960,  
c. 293, s. 1,  
cl. *c*,  
amended

(*c*) “exterminator” means any person who, by himself or by his employees, assistants or agents, carries out or enters into a contract to carry out an extermination.

(2) The said section 1 is amended by adding thereto the following clause: R.S.O. 1960,  
c. 293, s. 1,  
amended

(*ca*) “inspector” means a person designated under section 8 or of a class of persons designated by the regulations.

**2.** *The Pesticides Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 293,  
amended

1a. The Minister is responsible for the administration and enforcement of this Act and the regulations. Administra-  
tion

**3.** Sections 8 and 9 of *The Pesticides Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 293,  
ss. 8, 9,  
re-enacted

8. The Minister may designate one or more persons as inspectors for the purposes of this Act and the regulations. Inspectors

9. Any inspector for the purposes of the administration and enforcement of this Act and the regulations may enter and inspect any premises or vehicle and take samples of, Powers

(a)

(a) pesticides or herbicides;

(b) soil or water; or

(c) food for man or animal.

Idem

9a. Where any person is performing an extermination and an inspector is of the opinion that the extermination is or may be dangerous to health, the inspector may order that the extermination be terminated.

Obstruction  
of inspector

9b. No person shall obstruct, hinder, delay or prevent an inspector in the exercise of any of his powers or in the performance of any of his duties.

R.S.O. 1960,  
c. 293, s. 10,  
cl. a,  
amended

4.—(1) Clause *a* of section 10 of *The Pesticides Act* is amended by adding at the end thereof “and prescribing fees for such examination”, so that the clause shall read as follows:

(a) prescribing the qualifications of exterminators and assistant exterminators and providing for the examination of applicants for licences as exterminators and assistant exterminators, and prescribing fees for such examination.

R.S.O. 1960,  
c. 293, s. 10,  
cl. i  
(1962-63,  
c. 104, s. 2,  
subs. 2),  
re-enacted

(2) Clause *i* of the said section 10, as re-enacted by subsection 2 of section 2 of *The Pesticides Amendment Act, 1962-63*, is repealed and the following substituted therefor:

(i) classifying and designating substances used for extermination, and prohibiting any class of exterminators from using such substances or any of them.

R.S.O. 1960,  
c. 293, s. 10,  
cl. k,  
re-enacted

(3) Clause *k* of the said section 10 is repealed and the following substituted therefor:

(k) regulating or prohibiting the installation, operation, maintenance and use of any machine, apparatus or equipment used for extermination.

R.S.O. 1960,  
c. 293, s. 10,  
amended

(4) The said section 10 is amended by adding thereto the following clauses:

(la) designating classes of persons as inspectors for the purposes of this Act and the regulations;

(lb) governing, regulating or prohibiting the use, handling or storage of substances used for extermination;

(lc)

- (lc) requiring and providing for the registration of persons who sell or offer for sale or distribute any designated substance used for extermination;
- (ld) requiring persons who handle or use any designated substance used for extermination to undergo medical examination and supervision, and providing for such medical examination and supervision;
- (le) regulating the type of containers for substances used for extermination, other than the containers in which such substances are sold or offered for sale, and the labelling thereof;
- (lf) regulating the disposal of containers of any substance used for extermination;
- (lg) prescribing the records to be kept and returns to be made by persons licensed or registered under this Act or the regulations.

**5.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>Assent.<sup>ment</sup>

**6.** This Act may be cited as *The Pesticides Amendment Act*, <sup>Short title</sup>  
1966.





CHAPTER 115

An Act to amend The Pharmacy Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subclause i of clause *d* of section 1 of *The Pharmacy Act*, as re-enacted by subsection 1 of section 1 of *The Pharmacy Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 295, s. 1,  
cl. *d*,  
subcl. i  
(1961-62,  
c. 103, s. 1,  
subs. 1),  
re-enacted

- (i) any substance that is classified as a drug in any of the following publications:

Name	Abbreviation	Edition
Pharmacopoea Internationalis	(Ph.I.)	I and Supp. 1959
The Canadian Formulary	(C.F.)	1949
The British Pharmacopoeia	(B.P.)	1963
The British Pharmaceutical Codex	(B.P.C.)	1963
The Pharmacopoeia of the United States of America	(U.S.P.)	XVII
The National Formulary	(N.F.)	XII
New Drugs		1965
Codex Francais	(Codex)	VIII

R.S.O. 1960,  
c. 295, s. 1,  
cl. *d*,  
subcl. v  
(1961-62,  
c. 103, s. 1,  
subs. 2),  
re-enacted

(2) Subclause v of clause *d* of the said section 1, as enacted by subsection 2 of section 1 of *The Pharmacy Amendment Act, 1961-62*, is repealed and the following substituted therefor:

- (v) any preparation containing or represented as containing one or more of the following vitamins that furnishes in the largest recommended daily intake more than the number of units or amounts of such vitamin as are prescribed by the regulations:

1. vitamin A or provitamin A,
2. thiamine,
3. riboflavin,
4. niacin or niacinamide,
5. folic acid,
6. vitamin B12,
7. ascorbic acid
8. vitamin D,
9. vitamin E,
10. vitamin K.

R.S.O. 1960,  
c. 295, s. 4,  
subs. 3,  
amended

**2.** Subsection 3 of section 4 of *The Pharmacy Act* is amended by striking out "November" in the third line and inserting in lieu thereof "October", so that the subsection shall read as follows:

Term of  
office

- (3) Each elected member of the Council shall hold office for a period of two years commencing on the first Monday in October next following his election.

R.S.O. 1960,  
c. 295, s. 7,  
re-enacted

**3.** Section 7 of *The Pharmacy Act*, as amended by section 2 of *The Pharmacy Amendment Act, 1964*, is repealed and the following substituted therefor:

Election of  
members of  
Council

- 7.—(1) An election of the members of the Council who are to be elected shall be held on the first Wednesday in August in every second year following the last preceding election, and,

(a) one member of the Council shall be elected from each electoral division from among those entitled to vote in such electoral division; and

(b) one member of the Council shall be elected from among the members of the College who on the 1st day of June immediately preceding the election are practising in hospitals approved under *The Public Hospitals Act*.

R.S.O. 1960,  
c. 322

Members  
entitled  
to vote

- (2) Every member of the College registered under this Act who is not in default in payment of any fees payable by him under this Act,

(a)

- (a) may vote in the electoral division in which his place of business or employment is located on the 1st day of June immediately preceding the election; or
- (b) if his place of business or employment is in more than one electoral division on the 1st day of June immediately preceding the election, he shall name one of such divisions as his principal place of business or employment and may vote in that division only; or
- (c) if he has no fixed place of business or employment in Ontario, he may vote in the electoral division in which he resided on the 1st day of June immediately preceding the election; or
- (d) if he is employed on the 1st day of June immediately preceding the election in a hospital approved under *The Public Hospitals Act*, he may vote only for a member to be elected from among members so employed. R.S.O. 1960,  
c. 322

4. *The Pharmacy Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 295,  
amended

17a. No action shall be brought against the College or any officer thereof or any member of the Council for or in respect of anything done in good faith under this Act, notwithstanding any want of form in any proceedings. Action  
against  
College,  
officer or  
member

5. Section 18 of *The Pharmacy Act*, as amended by section 3 of *The Pharmacy Amendment Act, 1961-62*, is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 295, s. 18,  
amended

- (2) A person who fails to make an application for registration within the time prescribed by the regulations, but who is otherwise entitled to registration under subsection 1, may on application have his name entered on the register on passing such examinations as the regulations prescribe. Idem

6.—(1) Subsection 1 of section 29 of *The Pharmacy Act* is amended by inserting after "cancellation" in the eighteenth line "or suspension" and by adding at the end thereof "or suspended, as the case may be, and shall be surrendered forthwith to the registrar", so that the subsection shall read as follows: R.S.O. 1960,  
c. 295, s. 29,  
subs. 1,  
amended

Cancellation  
of regis-  
tration

- (1) The Council or the discipline committee appointed under a by-law passed by the Council may direct that the registration of any person be cancelled, or that the registration of any person be suspended for such time as the Council or the discipline committee deems proper,

(a) if such person has been convicted of an offence against any Act of the Parliament of Canada or of the legislature of any province of Canada relating to the sale of drugs, poisons, medicines or alcoholic liquors; or

R.S.O. 1960,  
cc. 237, 236

(b) if such person has been declared to be mentally incompetent under *The Mental Incompetency Act* or has been certified or found to be mentally ill under *The Mental Hospitals Act*; or

(c) if it finds that such person has been guilty of negligence, incompetency or improper conduct in a professional respect,

and the registrar shall note such cancellation or suspension in the register, and any certificate issued to such person under this Act is thereby cancelled or suspended, as the case may be, and shall be surrendered forthwith to the registrar.

R.S.O. 1960,  
c. 295, s. 29,  
subss. 5, 7,  
re-enacted

- (2) Subsections 5 and 7 of the said section 29 are repealed and the following substituted therefor:

Appeal

- (5) A pharmaceutical chemist or an apprentice whose registration has been cancelled or suspended under this section may within one month appeal to the Court of Appeal, and the court may, upon the hearing of the appeal, make such order as to the reinstatement of the pharmaceutical chemist or apprentice or confirming the cancellation or suspension or for further inquiry by the discipline committee or the Council into the facts of the case and as to costs as the court deems just.

. . . . .

Idem

- (7) The appeal may be by motion, notice of which shall be served upon the registrar and shall be founded upon a copy of the proceedings before the discipline committee or Council, the evidence taken and the decision of the discipline committee or Council, certified by the registrar, and the registrar shall,

upon



upon the request of any person desiring to appeal and upon payment of the cost thereof, furnish to any such person a certified copy of all proceedings, decisions and papers upon which the discipline committee or Council has acted in making the decision complained of.

**7.** Subsections 2 and 3 of section 29a of *The Pharmacy Act*, R.S.O. 1960, c. 295, s. 29a, as enacted by section 1 of *The Pharmacy Amendment Act, 1965*, (1965, c. 97, s. 1), subss. 2, 3, re-enacted are repealed and the following substituted therefor:

(2) The testimony of witnesses at hearings of the Council or discipline committee under section 29 may be taken under oath to be administered by the presiding officer of the Council or discipline committee, as the case may be, and there shall be full right to cross-examine all witnesses called and to call evidence in defence and in reply. Testimony may be under oath, etc.

(3) Where the Council or the discipline committee Costs cancels or suspends the registration of a person who has been convicted of an offence against any Act of the Parliament of Canada or of the legislature of any province of Canada relating to the sale of drugs, poisons, medicines or alcoholic liquors, or of a person who has been guilty of negligence, incompetency or improper conduct in a professional respect, it may direct that the member pay to the College the costs of and incidental to the disciplinary proceedings, including the cost of reporting and transcribing the evidence, and such costs shall be taxed on the Supreme Court scale by the taxing officer of the Supreme Court at Toronto, upon whose certificate execution may issue out of the Supreme Court for the collection of such costs by the College as upon a judgment in an action in such Court.

**8.** Clause *b* of section 41 of *The Pharmacy Act* is amended R.S.O. 1960, c. 295, s. 41, c. b, amended by striking out "and the address" in the first line and inserting in lieu thereof "the name of the poison, the name, address and telephone number", so that the clause shall read as follows:

(*b*) by retail, unless the word "poison", the name of the poison, the name, address and telephone number of the establishment in which the poison is sold and the name of the owner thereof are legibly and conspicuously displayed on the outer surface of the container in which the poison is contained.

**9.** Section 47 of *The Pharmacy Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 295, s. 47, re-enacted

Identi-  
fication  
markings

47. Every person who fills a prescription shall sign the prescription and mark it with an identification number or other designation, which shall also be marked on the container in which the drug is supplied, and the name, address and telephone number of the pharmacy in which the prescription is filled, the name of the owner thereof, the date it is filled, the name of the prescriber, the name of the person for whom it is prescribed and the directions for use as prescribed shall be legibly and conspicuously displayed on or in the container in which the drug is supplied.

R.S.O. 1960,  
c. 295, s. 51,  
subs. 8,  
repealed

- 10.** Subsection 8 of section 51 of *The Pharmacy Act* is repealed.

R.S.O. 1960,  
c. 295, s. 52,  
amended

- 11.** Section 52 of *The Pharmacy Act* is amended by adding thereto the following clauses:

(aa) prescribing units or amounts of vitamins for the purpose of subclause v of clause d of section 1;

(da) prescribing the manner in which records shall be kept of the purchase and sale of the drugs referred to in Schedule D.

Commence-  
ment

- 12.**—(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent.

Idem

- (2) Subsection 2 of section 1 comes into force on the 1st day of September, 1966.

Short title

- 13.** This Act may be cited as *The Pharmacy Amendment Act, 1966*.

## CHAPTER 116

## An Act to amend The Planning Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The Planning Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 296, s. 4,  
amended

(5a) When a member of a planning board becomes a member of a municipal council, he ceases to be a member of the planning board, but is eligible to be appointed annually subject to subsection 3. When  
member  
elected to  
council

2.—(1) Clause *c* of subsection 1 of section 26 of *The Planning Act*, as re-enacted by subsection 1 of section 1 of *The Planning Amendment Act, 1960-61*, is amended by striking out “the” where it occurs the second time in the first line and inserting in lieu thereof “each parcel of”, so that the clause shall read as follows: R.S.O. 1960,  
c. 296, s. 26  
(1960-61,  
c. 76, s. 1,  
subs. 1),  
cl. *c*,  
amended

(c) the land is ten acres or more in area and each parcel of land remaining in the grantor, mortgagor or vendor abutting on the land conveyed or otherwise dealt with is also ten acres or more in area; or

. . . . .

(2) Clause *e* of subsection 1 of the said section 26, as re-enacted by subsection 1 of section 1 of *The Planning Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 296, s. 26,  
subs. 1,  
cl. *e*  
(1964,  
c. 90, s. 1,  
subs. 1),  
re-enacted

(e) the consent,

(i) of the committee of adjustment of the municipality under subsection 2a of section 32b, unless the area was designated by order of the Minister under clause *b* of subsection 1 of section 27, or

(ii)

- (ii) where there is no committee of adjustment with approved rules of procedure or where the area was designated by order of the Minister under clause *b* of subsection 1 of section 27, of the Minister,

is given to convey, mortgage, charge or enter into an agreement with respect to the land.

R.S.O. 1960,  
c. 296, s. 26,  
subs. 3,  
cl. *c*  
(1964,  
c. 90, s. 1,  
subs. 2),  
re-enacted

(3) Clause *c* of subsection 3 of the said section 26, as re-enacted by subsection 2 of section 1 of *The Planning Amendment Act, 1964*, is repealed and the following substituted therefor:

(*c*) the consent,

- (i) of the committee of adjustment of the municipality under subsection 2*a* of section 32*b*, unless the area was designated by order of the Minister under clause *b* of subsection 1 of section 27, or
- (ii) where there is no committee of adjustment with approved rules of procedure or where the area was designated by order of the Minister under clause *b* of subsection 1 of section 27, of the Minister,

is given to convey, mortgage, charge or enter into an agreement with respect to the land.

R.S.O. 1960,  
c. 296, s. 26,  
subs. 3*a*  
(1962-63,  
c. 105, s. 6),  
re-enacted

(4) Subsection 3*a* of the said section 26, as enacted by section 6 of *The Planning Amendment Act, 1962-63* and amended by subsection 3 of section 1 of *The Planning Amendment Act, 1964*, is repealed and the following substituted therefor:

Consent to  
lapse after  
one year

- (3*a*) Any consent mentioned in subsection 1 or 3 hereafter granted shall lapse at the expiration of one year after the date upon which the consent was granted unless within such period the land in respect of which the consent was granted was sold, mortgaged or charged or an agreement was entered into for the sale or purchase of such land or that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more, provided that the Minister or the committee of adjustment, as the case may be, in granting the consent may provide for an earlier lapsing of the consent.



(5) Subsection 13 of the said section 26, as re-enacted by subsection 4 of section 1 of *The Planning Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960, c. 296, s. 26, subs. 13 (1964, c. 90, s. 1, subs. 4), re-enacted

(13) The Minister, in determining whether a consent is to be given under this section, shall have regard to the matters that are to be had regard to under subsection 4 of section 28 and has the same powers with respect to a consent as he has to an approval of a plan of subdivision under subsections 5 and 8 of section 28, and may require that any or all conditions imposed be fulfilled prior to the granting of a consent. Matters to be regarded by Minister in determining consent

(14) Where the Minister has imposed a condition that land be conveyed for public purposes other than highways, any land so conveyed may be sold by the municipality at any time without the approval of the Minister, and subsection 10 of section 28 applies to moneys received in lieu of the conveyance of such land as authorized by the Minister and to moneys received from the sale of such land. Special account

(6) The said section 26, as amended by section 6 of *The Planning Amendment Act, 1962-63* and section 1 of *The Planning Amendment Act, 1964*, is further amended by adding thereto the following subsection: R.S.O. 1960, c. 296, s. 26 (1960-61, c. 76, s. 1, subs. 1), amended

(16) Every municipality may enter into agreements imposed by the Minister or by a committee of adjustment as a condition to the granting of a consent. Agreements

3. Subsection 3 of section 30 of *The Planning Act*, as amended by section 3 of *The Planning Amendment Act, 1964*, is repealed. R.S.O. 1960, c. 296, s. 30, subs. 3, repealed

4. Subsection 11 of section 32a of *The Planning Act*, as enacted by section 8 of *The Planning Amendment Act, 1961-62*, is amended by striking out "in his office" in the first line, so that the subsection shall read as follows: R.S.O. 1960, c. 296, s. 32a (1961-62, c. 104, s. 8), subs. 11, amended

(11) The secretary-treasurer shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the committee, and section 216 of *The Municipal Act* applies *mutatis mutandis* to such documents. Filing of documents, etc. R.S.O. 1960, c. 249

5.—(1) Subsection 2 of section 32b of *The Planning Act*, as enacted by section 8 of *The Planning Amendment Act, 1961-62*, is amended by adding "or" at the end of clause a and by striking out clause b. R.S.O. 1960, c. 296, s. 32b (1961-62, c. 104, s. 8), subs. 2, amended



R.S.O. 1960,  
c. 296, s. 32*b*,  
subs. 9*a*  
(1964,  
c. 90, s. 6,  
subs. 3),  
re-enacted

(2) Subsection 9*a* of the said section 32*b*, as enacted by subsection 3 of section 6 of *The Planning Amendment Act, 1964*, is repealed and the following substituted therefor:

Matters to  
be regarded  
by com-  
mittee in  
determining  
consent

(9*a*) The committee, in determining whether a consent is to be given under subsection 2*a*, shall have regard to the matters that are to be had regard to under subsection 4 of section 28 and has the same powers with respect to a consent as the Minister has to an approval of a plan of subdivision under subsections 5 and 8 of section 28, and may require that any or all conditions imposed be fulfilled prior to the granting of a consent, and, in exercising its powers under subsections 5 and 8 of section 28, the reference to the Minister in such subsections 5 and 8 shall be deemed to be a reference to the committee.

Special  
account

(9*b*) Where the committee has imposed a condition that land be conveyed for public purposes other than highways, any land so conveyed may be sold by the municipality at any time without the approval of the committee, and subsection 10 of section 28 applies to moneys received in lieu of the conveyance of such land as authorized by the committee and to moneys received from the sale of such land.

R.S.O. 1960,  
c. 296, s. 32*b*,  
subs. 10  
(1962-63,  
c. 105, s. 12,  
subs. 2),  
amended

(3) Subsection 10 of the said section 32*b*, as re-enacted by subsection 2 of section 12 of *The Planning Amendment Act, 1962-63*, is amended by striking out "registered" in the first line, so that the subsection shall read as follows:

Notice of  
decision

(10) The secretary-treasurer shall send by mail one copy of the decision, certified by him, to the Minister, to the applicant and to each person who appeared in person or by counsel at the hearing and who filed with the secretary-treasurer a written request for notice of the decision, together with a notice of the last day for appealing to the Municipal Board.

R.S.O. 1960,  
c. 296, s. 32*b*,  
(1961-62,  
c. 104, s. 8),  
subs. 11,  
re-enacted

(4) Subsection 11 of the said section 32*b*, as amended by subsection 3 of section 12 of *The Planning Amendment Act, 1962-63* and subsection 4 of section 6 of *The Planning Amendment Act, 1964*, is repealed and the following substituted therefor:

Additional  
material

(11) The secretary-treasurer shall also send to the Minister, when he sends the notice under subsection 10, the following:

1. A copy of the application to the committee certified by the secretary-treasurer.

2. A copy of the draft minutes of the hearing by the committee as prepared for adoption by the committee.
3. A copy of all maps or sketches that were before the committee on the hearing of the application and that show the land, building or structure that was the subject-matter of the application.
4. A sworn declaration by the secretary-treasurer that he has complied with the requirements of subsection 10.

**6.**—(1) This Act, except section 3, comes into force on the <sup>Commence-</sup>ment day it receives Royal Assent.

(2) Section 3 comes into force on the 1st day of July, 1967. <sup>Idem</sup>

**7.** This Act may be cited as *The Planning Amendment Act*, <sup>Short title</sup> 1966.



## CHAPTER 117

## An Act to amend The Plant Diseases Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses *c* and *d* of section 1 of *The Plant Diseases Act* <sup>R.S.O. 1960, c. 297, s. 1, cls. *c*, *d*, re-enacted</sup> are repealed and the following substituted therefor:

(*c*) "inspector" means an inspector appointed under this Act, and includes a municipal inspector;

(*d*) "Minister" means the Minister of Agriculture and Food.

2.—(1) Section 5 of *The Plant Diseases Act*, as amended by <sup>R.S.O. 1960, c. 297, s. 5, re-enacted</sup> section 1 of *The Plant Diseases Amendment Act, 1964*, is repealed and the following substituted therefor:

5.—(1) The council of any municipality may by by-law <sup>Municipal by-laws</sup> designate any disease or injury of plants, whether or not designated a plant disease in the regulations, and the by-law shall,

(*a*) appoint one or more municipal inspectors to enforce this Act, the regulations and the by-law in the municipality with respect to every plant disease and disease of plants designated therein;

(*b*) fix the remuneration to be paid to municipal inspectors; and

(*c*) provide for the control or eradication of any disease of plants designated therein.

(2) No by-law passed under subsection 1 takes effect <sup>Approval of by-laws</sup> until it is approved by the Minister.

Powers and  
duties of  
municipal  
inspectors

- (3) Every municipal inspector shall, under the direction of the Provincial Entomologist, carry out in the municipality the provisions of this Act, any by-law passed under subsection 1 and the regulations.

Diseases  
designated  
in by-law  
deemed  
plant  
diseases

- (4) For the purposes of sections 6 and 7, a disease of plants that is not designated a plant disease in the regulations and for the control or eradication of which a by-law has been passed under subsection 1 shall be deemed to be a plant disease within the municipality that passed the by-law.

Payment of  
costs

- (5) Where a by-law passed under subsection 1 provides for the treatment or destruction by the municipality of any plants located on property that is not owned by or in the possession of the municipality, the municipality may pay any expenses incurred in the treatment or destruction of the plants out of the general funds of the municipality.

By-laws  
confirmed  
R.S.O. 1960,  
c. 297

- (2) Every by-law passed and approved under section 5 of *The Plant Diseases Act* after the 25th day of March, 1964, and before subsection 1 comes into force shall be deemed to be valid and binding until it is repealed, amended or replaced.

R.S.O. 1960,  
c. 297, s. 6,  
amended

3. Section 6 of *The Plant Diseases Act* is amended by adding thereto the following subsection:

Obstruction  
of inspector

- (2) No person shall hinder or obstruct an inspector in the course of his duties or furnish him with false information or refuse to furnish him with information.

R.S.O. 1960,  
c. 297, s. 9,  
re-enacted

4. Section 9 of *The Plant Diseases Act* is repealed and the following substituted therefor:

Offences

- 9.—(1) Except as provided in subsection 2, every person who contravenes any of the provisions of this Act or any by-law passed under subsection 1 of section 5 or the regulations or any order of an inspector or the Provincial Entomologist is guilty of an offence and on summary conviction is liable, for a first offence, to a fine of not more than \$50 and, for any subsequent offence, to a fine of not less than \$25 and not more than \$200 or to imprisonment for a term of not more than thirty days.

Idem

- (2) Every person who contravenes any provision of subsection 2 of section 6 is guilty of an offence and on summary conviction is liable, for a first offence, to a fine of not less than \$100 and, for any subsequent offence, to a fine of not less than \$200.



**5.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>Assent.<sub>ment</sub>

**6.** This Act may be cited as *The Plant Diseases Amendment* <sup>Short title</sup>*Act, 1966.*



## CHAPTER 118

## An Act to amend The Police Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 8 of *The Police Act* is repealed.

R.S.O. 1960,  
c. 298, s. 8,  
subs. 3,  
repealed

- 2.—(1) Subsection 1 of section 13 of *The Police Act*, as re-enacted by section 4 of *The Police Amendment Act, 1965*, is amended by striking out “chief constable” in the third line and inserting in lieu thereof “chief of police”.

R.S.O. 1960,  
c. 298, s. 13  
(1965,  
c. 99, s. 4),  
subs. 1,  
amended

- (2) Subsection 2 of the said section 13 is amended by inserting after “council” in the second line “or each council responsible for maintaining the force”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 298, s. 13  
(1965,  
c. 99, s. 4),  
subs. 2,  
amended

- (2) Every board shall, on or before the 1st day of March in each year, prepare and submit to the council or each council responsible for maintaining the force, for its consideration and approval, its estimates of all moneys required for the year to pay the remuneration of the members of the police force and to provide and pay for the accommodation, arms, equipment and other things for the use and maintenance of the force.

Estimates

- 3.—(1) Subsection 1 of section 17 of *The Police Act* is amended by inserting after “board” in the fifth line “or, where there is no board, the chief of police” and by inserting after “board” in the sixth line “or, where there is no board, the council”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 298, s. 17,  
subs. 1,  
amended

- (1) Where any motor vehicle, bicycle or any personal property of any kind is in the possession of the board or a member of the police force by reason of having been stolen from its owner or by reason of having been found abandoned in a public place and the board or, where there is no board, the chief of police

Sale of  
stolen and  
abandoned  
property

is unable to ascertain its owner, the board or, where there is no board, the council may cause it to be sold or otherwise disposed of as hereinafter set forth and, subject to subsection 3, may retain to its own use the proceeds of such sale or disposition.

R.S.O. 1960,  
c. 298, s. 17,  
subs. 2,  
amended

(2) Subsection 2 of the said section 17 is amended by inserting after "board" in the third line "or, where there is no board, the council", so that the subsection shall read as follows:

Procedure  
for sale

(2) Where such property is perishable, the sale or disposition of it may be made at any time without notice of any kind, and, where such property is not perishable, the board or, where there is no board, the council may,

(a) in the case of property, other than motor vehicles or bicycles, after the expiration of three months from the time it came into possession of the board or member of the police force; or

(b) in the case of motor vehicles or bicycles, after the expiration of one month from the time it came into possession of the board or member of the police force,

sell it by public auction after at least ten days notice of the time and place of holding such auction has been given by publication once in a newspaper published in the municipality, and any such sale may be adjourned from time to time until the property is sold.

R.S.O. 1960,  
c. 298, s. 19  
(1965,  
c. 99, s. 5),  
subs. 3,  
amended

4. Subsection 3 of section 19 of *The Police Act*, as re-enacted by section 5 of *The Police Amendment Act, 1965*, is amended by striking out "chief constable" in the second and third lines and inserting in lieu thereof "chief of police".

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
subs. 1,  
amended

5.—(1) Subsection 1 of section 23 of *The Police Act*, as re-enacted by subsection 1 of section 6 of *The Police Amendment Act, 1965*, is amended by striking out "chief constable of a police force" in the first line and inserting in lieu thereof "chief of police".

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
subs. 2,  
amended

(2) Subsection 2 of the said section 23 is amended by striking out "chief constable" in the first line and in the fourth and fifth lines and inserting in lieu thereof in each instance "chief of police".

(3) Subsection 3 of the said section 23 is repealed and the following substituted therefor:

- (3) Where the office of chief of police is vacant or where there is no chief of police, the chairman of the board or, where there is no board, the head of the council shall be deemed to be the chief of police for the purposes of this section.

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
subs. 3,  
re-enacted

Where  
office of  
chief of  
police  
vacant

(4) Clause *a* of subsection 4 of the said section 23 is amended by striking out "chief constable" in the second line and inserting in lieu thereof "chief of police or head of council".

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
subs. 4, cl. *a*,  
amended

(5) Clause *b* of subsection 4 of the said section 23 is amended by striking out "chief constable" in the third and fourth lines and inserting in lieu thereof "chief of police".

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
subs. 4, cl. *b*,  
amended

(6) The said section 23 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
amended

- (4a) Where damages and costs are awarded under this section in respect of the tort of a member of an amalgamated police force, each municipality participating in the amalgamation is jointly and severally liable for the damages and costs referred to in subsection 4.

Payment  
where  
amal-  
gamated  
force

(7) Subsection 5 of the said section 23 is amended by striking out "proceedings for a tort committed by him" in the fourth and fifth lines and inserting in lieu thereof "any civil or criminal proceedings brought against him", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 298, s. 23  
(1965,  
c. 99, s. 6,  
subs. 1),  
subs. 5,  
amended

- (5) The council of a municipality may, in such cases and to such extent as it thinks fit, pay any damages or costs awarded against a member of the police force maintained by them or any special constable in any civil or criminal proceedings brought against him, any costs incurred and not recovered by him in any such proceedings, and any sum required in connection with the settlement of any claim that has or might have given rise to such proceedings.

Indemni-  
fying  
police  
officers

6. Notwithstanding section 16 of *The Police Amendment Act, 1965*, the repeal of section 24 of *The Police Act* by subsection 1 of section 6 of *The Police Amendment Act, 1965* shall not be deemed to have become effective until the 1st day of January, 1966.

Effective  
date of  
repeal  
of s. 24



R.S.O. 1960, c. 298, s. 25<sup>b</sup>  
(1965, c. 99, s. 7),  
amended

**7.** Section 25<sup>b</sup> of *The Police Act*, as enacted by section 7 of *The Police Amendment Act, 1965*, is amended by adding thereto the following subsection:

Appointment of  
board

- (2) Any appointments to the board for a proposed amalgamated municipality may be made before the amalgamation takes effect.

R.S.O. 1960, c. 298, s. 27,  
subs. 1  
(1964, c. 92, s. 8,  
subs. 1),  
amended

**8.** Subsection 1 of section 27 of *The Police Act*, as re-enacted by subsection 1 of section 8 of *The Police Amendment Act, 1964*, is amended by striking out "chief constable and any deputy chief constable" in the twelfth and thirteenth lines and inserting in lieu thereof "chief of police and any deputy chief of police".

R.S.O. 1960, c. 298, s. 33,  
subs. 1,  
amended

**9.** Subsection 1 of section 33 of *The Police Act* is amended by striking out "chief constable and any deputy chief constable" in the sixth and seventh lines and inserting in lieu thereof "chief of police and any deputy chief of police".

R.S.O. 1960, c. 298, s. 38,  
cl. c,  
amended

**10.** Clause *c* of section 38 of *The Police Act* is amended by striking out "under any Act" in the first line, so that the clause shall read as follows:

- (c) unless a pension plan established for the members is in force under which the municipality contributes an amount not less than 5 per cent of the amount of the salaries of the members participating in the plan.

R.S.O. 1960, c. 298, s. 39<sup>b</sup>  
(1962-63, c. 106, s. 4),  
cl. b,  
amended

**11.—**(1) Clause *b* of section 39<sup>b</sup> of *The Police Act*, as enacted by section 4 of *The Police Amendment Act, 1962-63*, is amended by striking out "chief constables" in the fourth line and inserting in lieu thereof "chiefs of police".

R.S.O. 1960, c. 298, s. 39<sup>b</sup>  
(1962-63, c. 106, s. 4),  
cl. c,  
amended

(2) Clause *c* of the said section 39<sup>b</sup> is amended by striking out "chief constables" in the third and fourth lines and inserting in lieu thereof "chiefs of police".

R.S.O. 1960, c. 298, s. 39<sup>b</sup>  
(1962-63, c. 106, s. 4),  
amended

(3) The said section 39<sup>b</sup> is amended by adding thereto the following clause:

- (*da*) to require municipalities to provide such lock-ups as the Commission determines.

R.S.O. 1960, c. 298, s. 39<sup>b</sup>  
(1962-63, c. 106, s. 4),  
cl. h,  
amended

(4) Clause *h* of the said section 39<sup>b</sup> is amended by striking out "from" in the first line and inserting in lieu thereof "by", so that the clause shall read as follows:

- (*h*) to hear and dispose of appeals by members of police forces in accordance with this Act and the regulations; and

**12.** *The Police Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 298,  
amended

43a.—(1) The Commissioner is liable, in respect of torts committed by members of the force in the performance or purported performance of their duties, in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and shall in respect of any such torts be treated for all purposes as a joint tortfeasor. Liability  
for torts

(2) The Treasurer of Ontario shall pay out of the Consolidated Revenue Fund, Payment by  
Ontario

(a) any damages awarded against the Commissioner in any proceeding brought against him by virtue of this section and any costs incurred by him in any such proceeding so far as not recovered by him in the proceedings; and

(b) subject to the approval of the Lieutenant Governor in Council, any sum required in connection with the settlement of any claim made against the Commissioner by virtue of this section.

**13.**—(1) Subsection 1 of section 45c of *The Police Act*, as re-enacted by section 9 of *The Police Amendment Act, 1965*, is amended by adding at the end thereof "and may suspend or terminate any such appointment", so that the subsection shall read as follows: R.S.O. 1960,  
c. 298, s. 45c  
(1965,  
c. 99, s. 9),  
subs. 1,  
amended

(1) An authority empowered to appoint members of a police force may appoint auxiliary members in a number approved by the Commission, but not exceeding the number of other members of the force, and may suspend or terminate any such appointment. Appoint-  
ment of  
auxiliary  
police

(2) Subsection 3 of the said section 45c is amended by striking out "chief constable" in the third line and inserting in lieu thereof "chief of police". R.S.O. 1960,  
c. 298, s. 45c  
(1965,  
c. 99, s. 9),  
subs. 3,  
amended

**14.** Section 46 of *The Police Act* is amended by striking out "chief constable" in the first line and inserting in lieu thereof "chief of police". R.S.O. 1960,  
c. 298, s. 46,  
amended

**15.** Section 47 of *The Police Act* is amended by inserting after "Part II" in the first line "except assistants and civilian employees", so that the section shall read as follows: R.S.O. 1960,  
c. 298, s. 47,  
amended

Duties and  
powers of  
members  
of police  
forces

47. The members of police forces appointed under Part II, except assistants and civilian employees, are charged with the duty of preserving the peace, preventing robberies and other crimes and offences, including offences against the by-laws of the municipality, and apprehending offenders, and laying informations before the proper tribunal, and prosecuting and aiding in the prosecuting of offenders, and have generally all the powers and privileges and are liable to all the duties and responsibilities that belong to constables.

R.S.O. 1960,  
c. 298, s. 48,  
subs. 1,  
amended

- 16.** Subsection 1 of section 48 of *The Police Act*, as amended by subsection 1 of section 9 of *The Police Amendment Act, 1961-62* and subsections 1 and 2 of section 10 of *The Police Amendment Act, 1965*, is further amended by striking out "chief constable" in the fourth line and inserting in lieu thereof "chief of police".

R.S.O. 1960,  
c. 298, s. 55,  
subs. 1,  
amended

- 17.**—(1) Subsection 1 of section 55 of *The Police Act* is amended by striking out "chief constable" in the first line and inserting in lieu thereof "chief of police".

R.S.O. 1960,  
c. 298, s. 55,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 55 is amended by striking out "member" in the first line and inserting in lieu thereof "chief of police, other police officer and constable", so that the subsection shall read as follows:

Disposition  
of oaths

- (2) The oath of every chief of police, other police officer and constable of a municipal police force shall be deposited in the office of the clerk of the municipality or of the secretary of the board of the municipality for which he is appointed.

R.S.O. 1960,  
c. 298,  
amended

- 18.** *The Police Act* is amended by adding thereto the following section:

Police  
cadets

- 61a. Any chief of police may, subject to the approval of the board or, where there is no board, of the council, appoint persons as police cadets to undergo training, and police cadets shall be deemed to be members of the police force.

R.S.O. 1960,  
c. 298, s. 62,  
subs. 1,  
amended

- 19.** Subsection 1 of section 62 of *The Police Act*, as amended by section 14 of *The Police Amendment Act, 1965*, is further amended by adding thereto the following clause:

- (ea) governing lock-ups and providing for their inspection.

**20.** For the purposes of sections 36, 37 and 38 of *The Police Act, The Police Amendment Act, 1965* shall be deemed to have come into force on the 1st day of January, 1965.

Application  
of 1965,  
c. 99, to  
R.S.O. 1960,  
c. 298,  
ss. 36-38

**21.**—(1) This Act, except subsection 7 of section 5, comes into force on the day it receives Royal Assent.

Commence-  
ment

(2) Subsection 7 of section 5 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

**22.** This Act may be cited as *The Police Amendment Act, 1966*.

Short title





## CHAPTER 119

**An Act to amend The Power Commission Act**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 105 of *The Power Commission Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 300, s. 105,  
re-enacted

105. A municipal corporation or municipal commission receiving power from the Commission for distribution may utilize, subject to the approval of the Commission, funds in its hands over and above current operating requirements derived from or pertaining to the municipal electric utility for which such power is received for any of the following purposes and not otherwise: Utilization  
of funds

1. In the reduction of any indebtedness incurred in the construction and equipment of works for the production, development, distribution or sale of power.
2. In the construction and extension of works for the production, development, distribution or sale of power.
3. In the construction, reconstruction, alteration, rebuilding, reassembling, replacing or whatever else may be necessary in respect of works for receiving power from the Commission and distributing it at a changed periodicity in alternations of current.
4. In purchasing or otherwise acquiring or constructing buildings for the occupation and use of the municipal electric utility as offices and for other business purposes, subject to the further approval of the Commission of the

site,

site, cost and plans of any such building and, if so approved, any such building may be larger than is required for the immediate use of the municipal electric utility, and any part of any such building not immediately required for the use of the municipal electric utility may be leased by it.

5. In the renewal of any such building.
6. In the purchase of any of the following securities:
  - i. The bonds, debentures or other evidences of indebtedness of or guaranteed by the Government of Canada or the Government of Ontario.
  - ii. The deposit receipts, deposit notes, certificates of deposit and other similar instruments issued by any chartered bank to which the *Bank Act* (Canada) applies.
  - iii. The guaranteed investment certificates of any trust company that is registered under *The Loan and Trust Corporations Act*.

1953-54,  
c. 48 (Can.)

R.S.O. 1960,  
c. 222

Commence-  
ment

**2.** This Act comes into force on the day it receives Royal Assent.

Short title

**3.** This Act may be cited as *The Power Commission Amendment Act, 1966*.

## CHAPTER 120

## An Act to amend The Private Sanitaria Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 26 of *The Private Sanitaria Act* is amended by striking out "to the nearest coroner and" in the seventh line, so that the subsection shall read as follows: R.S.O. 1960, c. 307, s. 26, subs. 1, amended

- (1) Where a patient dies in a sanitarium, a statement of the cause of death, with the name of any person present at the death, shall be forthwith drawn up and signed by the superintendent of the sanitarium, and a copy thereof duly certified by the proprietor or superintendent shall, within forty-eight hours after the death of the patient, be transmitted by him to the inspector and to the secretary of the board, and also to the person who signed the requisition for the patient's admission or, if he is dead or absent from Ontario, to the person who made the last payment on account of the patient. Certificate required in case of death

**2.** This Act comes into force on the 1st day of September, 1966. Commencement

**3.** This Act may be cited as *The Private Sanitaria Amendment Act, 1966*. Short title



## CHAPTER 121

**An Act to amend  
The Provincial Land Tax Act, 1961-62**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 15 of *The Provincial Land Tax Act, 1961-62* is repealed and the following substituted therefor: <sup>1961-62, c. 111, s. 15, subs. 1, re-enacted</sup>

(1) Any person complaining of, Complaints

(a) an error or omission in regard to himself as having been,

(i) wrongly inserted in or omitted from the register, or

(ii) under-assessed or over-assessed by the collector in the register; or

(b) the apportionment of arrears of tax made by the collector under section 32,

may personally or by his agent make a complaint in the prescribed form to the collector.

**2.** Section 24 of *The Provincial Land Tax Act, 1961-62* is <sup>1961-62, c. 111, s. 24, re-enacted</sup> repealed and the following substituted therefor:

24. Except as otherwise provided in this Act, where any tax under this Act remains unpaid on the 1st day of March in the year for which it is payable, a penalty of 5 per cent shall be added thereto and in addition such tax and penalty shall bear interest at the rate of one-half of 1 per cent per month for each month or fraction thereof from such 1st day of March until the tax and penalty are paid, which interest shall be compounded annually on the 1st day of March of

the



the year next following the date on which the tax was payable and on each 1st day of March thereafter that the tax or any part thereof remains unpaid, and for all purposes the amount of such tax, penalty and interest shall be deemed to be tax due and payable under this Act.

1961-62,  
c. 111, s. 25,  
subs. 7,  
re-enacted

**3.** Subsection 7 of section 25 of *The Provincial Land Tax Act, 1961-62* is repealed and the following substituted therefor:

Penalty and  
interest on  
unpaid tax

- (7) Where any tax or arrears of tax billed under subsection 6 remains unpaid after the due date, a penalty of 5 per cent shall be added thereto and in addition such tax or arrears of tax and penalty shall bear interest at the rate of one-half of 1 per cent per month for each month or fraction thereof from the due date until paid, which interest shall be compounded annually on the 1st day of March of the year next following the date on which the tax or arrears of tax was payable and on each 1st day of March thereafter that the tax or arrears of tax or any part thereof remains unpaid, and for all purposes the amount of such tax, arrears of tax, penalty and interest shall be deemed to be tax due and payable under this Act.

Commence-  
ment

**4.—**(1) This Act, except sections 2 and 3, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 2 and 3 shall be deemed to have come into force on the 1st day of January, 1963.

Short title

**5.** This Act may be cited as *The Provincial Land Tax Amendment Act, 1966*.

CHAPTER 122

An Act to amend The Provincial Parks Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 3 of *The Provincial Parks Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 314, s. 3,  
subs. 4,  
re-enacted

(4) Notwithstanding *The Municipal Act*, every unopened road allowance that is within a provincial park and that has not been closed and conveyed shall be deemed to have been vested in the Crown from the day on which the provincial park was established or the area in which the unopened road allowance is located was added to a provincial park, as the case may be, and the Minister may close to travel any such road allowance one month after having caused notice of the proposed closing to be published once a week for four consecutive weeks in a newspaper having general circulation in the locality in which the road allowance is located or one month after having caused such a notice to be posted in a conspicuous place at or near the road allowance.

Unopened  
road  
allowances  
vested in  
Crown  
R.S.O. 1960,  
c. 249

2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

3. This Act may be cited as *The Provincial Parks Amendment Act, 1966*.

Short title



## CHAPTER 123

## An Act to amend The Psychiatric Hospitals Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 9 of *The Psychiatric Hospitals Act* <sup>R.S.O. 1960, c. 315, s. 9, subs. 1, amended</sup> is amended by striking out "and who, except in the cases provided for in clauses *b* and *e*, has been a resident of the municipality in which the psychiatric hospital is located for three months in all within the period of five months prior to the date of application for admission" in the second, third, fourth, fifth and sixth lines, so that the subsection, exclusive of the clauses, shall read as follows:

- (1) Any person who is, or who is believed to be, in need <sup>Admission to hospital</sup> of such treatment as is provided in a psychiatric hospital may be admitted thereto for such treatment,

. . . . .

**2.** Section 23 of *The Psychiatric Hospitals Act*, as enacted by <sup>R.S.O. 1960, c. 315, s. 23</sup> section 3 of *The Psychiatric Hospitals Amendment Act, 1962-63*, <sup>(1962-63, c. 111, s. 3), re-enacted</sup> is repealed and the following substituted therefor:

23.—(1) The Minister may approve any service of any <sup>Forensic clinic, approval of</sup> psychiatric hospital as a forensic clinic, to be known by such name as he designates.

(2) There shall be a director of each forensic clinic. Director

(3) A judge or magistrate may order any person who is <sup>Court order for</sup> before him to attend a forensic clinic for mental and <sup>examination</sup> physical examination.

(4) If the director of the forensic clinic reports that a <sup>Court order for</sup> person examined needs treatment, the judge or <sup>treatment</sup> magistrate may order the person to attend the forensic clinic for treatment.

Prerequisite  
of court  
order

- (5) A judge or magistrate shall not make an order under subsection 3 or 4 until he ascertains from the director of the forensic clinic that the services of the clinic are available for the person to be named in the order.

Director's  
report

- (6) The director of a forensic clinic may in his discretion report all or any part of the information compiled by the clinic to,
- (a) the judge or magistrate who made the order under subsection 3 or 4;
  - (b) the person examined or treated; or
  - (c) any person who, in the opinion of the director, has a *bona fide* interest in the person examined or treated.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Psychiatric Hospitals Amendment Act, 1966*.



## CHAPTER 124

# An Act to provide for the Registration of and Disclosure by Public Finance Companies that hold Shares in Private Loan Companies

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "private loan company" means a company that is or has been incorporated in accordance with sub-section 2 of section 3 of *The Corporations Act* or any predecessor thereof; R.S.O. 1960,  
c. 71
- (b) "public finance company" means a company that has as one of its principal businesses lending or investing money, dealing in mortgages on the security of real or personal property or purchasing accounts receivable, or any combination thereof, and that borrows or raises money from the public for any of such purposes, but does not include,
  - (i) a bank to which the *Bank Act* (Canada) 1953-54,  
c. 48 (Can.) applies,
  - (ii) an insurer licensed under *The Insurance Act*, R.S.O. 1960,  
c. 190
  - (iii) an issuer registered under *The Investment Contracts Act*, R.S.O. 1960,  
c. 194
  - (iv) a corporation registered under *The Loan and Trust Corporations Act*, or R.S.O. 1960,  
c. 222
  - (v) a credit union or credit union league incorporated under *The Credit Unions Act*; R.S.O. 1960,  
c. 79
- (c) "Registrar" means the Registrar appointed under *The Loan and Trust Corporations Act*.

Registration  
required

**2.**—(1) No public finance company shall hold any shares of a private loan company, whether directly or indirectly or through the interposition of one or more persons or corporations or otherwise, unless the public finance company is registered under this Act.

Application

(2) Subsection 1 comes into force one month after the day on which this Act is proclaimed in force.

Registration  
by  
Registrar

**3.** An application for registration under this Act shall be made to the Registrar who shall register the applicant upon receipt of the application.

Annual  
statement  
by

**4.**—(1) The managing director, manager or secretary of each public finance company registered under this Act shall prepare annually a statement in the form prescribed by the Registrar consisting of the annual financial statement of the company for its last fiscal year, together with the amount of its capital, surplus and borrowings, and the amounts invested in, loaned to or deposited with private loan companies during such fiscal year, and the statement shall be filed with the Registrar within six months after the end of the year to which it relates.

Further  
information

(2) The Registrar may, by a direction in writing, require the president, secretary, managing director or other officer or officers of a public finance company to provide such other information or returns relevant to determining the capital, surplus and borrowings of the public finance company and the amount invested in, loaned to or deposited with private loan companies by the public finance company, at such times as the Registrar requires, and may require such information or returns to be verified by affidavit.

Idem

(3) The Registrar in giving any direction under subsection 2 shall allow the public finance company a reasonable time within which to provide the further information required, having regard to the nature of the information required and all other circumstances.

Penalty

**5.**—(1) Every person who contravenes section 2 or fails to comply with a direction of the Registrar under section 4 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Idem,  
company

(2) Where a public finance company is convicted of an offence under subsection 1, the maximum penalty that may be imposed upon the company is a fine of \$25,000 and not as provided therein.

**6.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commence-</sup><sub>ment</sub>

**7.** This Act may be cited as *The Public Finance Companies' Short title Investments Act, 1966.*



## CHAPTER 125

## An Act to amend The Public Health Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Paragraph 13 of section 6 of *The Public Health Act* R.S.O. 1960, c. 321, s. 6, par. 13, amended is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”.

(2) Paragraph 23 of the said section 6 is amended by R.S.O. 1960, c. 321, s. 6, par. 23, amended striking out “sanitary” in the second line and inserting in lieu thereof “public health”.

(3) Paragraph 24 of the said section 6 is amended by R.S.O. 1960, c. 321, s. 6, par. 24, amended striking out “sanitary” in the second line and inserting in lieu thereof “public health”.

(4) Paragraph 42 of the said section 6 is amended by R.S.O. 1960, c. 321, s. 6, par. 42, amended striking out “used otherwise than in commerce or industry, or any class of them” in the third, fourth and fifth lines, so that the paragraph shall read as follows:

42. regulating, restricting or prohibiting the installation, ionizing radiation use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation.

(5) The said section 6 is amended by adding thereto the R.S.O. 1960, c. 321, s. 6, amended following paragraph:

44. designating hospitals, sanatoria and other institutions cancer surveys for the purpose of section 55*b*, and prescribing and regulating the reports mentioned therein.

**2.** Section 8 of *The Public Health Act* is repealed and the R.S.O. 1960, c. 321, s. 8, re-enacted following substituted therefor:

8. In the event of conflict between,

Conflict

(a) any regulation; and

(b)



- (b) any by-law passed by a municipality or any by-law passed under section 122a by the board of health of a health unit,

the regulation prevails.

R.S.O. 1960,  
c. 321, s. 9,  
amended

- 3.** Section 9 of *The Public Health Act* is amended by striking out "sanitary" in the second line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 10,  
subs. 3,  
cl. c,  
amended

- 4.—**(1) Clause *c* of subsection 3 of section 10 of *The Public Health Act* is amended by striking out "sanitary" in the fourth line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 10,  
subs. 6,  
amended

- (2) Subsection 6 of the said section 10 is amended by striking out "sanitary" in the second line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 21,  
subs. 1,  
amended

- 5.** Subsection 1 of section 21 of *The Public Health Act*, as amended by section 3 of *The Public Health Amendment Act, 1964*, is further amended by striking out "sanitary" in the fifth line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 28,  
subs. 1,  
amended

- 6.** Subsection 1 of section 28 of *The Public Health Act* is amended by striking out "sanitary" in the fifth line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 29,  
re-enacted

- 7.** Section 29 of *The Public Health Act* is repealed and the following substituted therefor:

Ambulance

29. A local board may provide, maintain or hire an ambulance for the conveyance of persons requiring medical attention and may pay the expense of conveying therein any person requiring medical attention to a hospital or other place.

R.S.O. 1960,  
c. 321, s. 34,  
subs. 1a  
(1964, c. 93,  
s. 4),  
amended

- 8.** Subsection 1a of section 34 of *The Public Health Act*, as enacted by section 4 of *The Public Health Amendment Act, 1964*, is amended by striking out "sanitary" in the second line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 35,  
subs. 6,  
cl. c,  
amended

- 9.—**(1) Clause *c* of subsection 6 of section 35 of *The Public Health Act* is amended by striking out "sanitary" in the third line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 35,  
subs. 6,  
cl. d,  
amended

- (2) Clause *d* of subsection 6 of the said section 35 is amended by striking out "sanitary" in the fourth line and inserting in lieu thereof "public health".

R.S.O. 1960,  
c. 321, s. 36,  
amended

- 10.** Section 36 of *The Public Health Act* is amended by striking out "sanitary" in the first line and inserting in lieu thereof "public health".

**11.** Section 41 of *The Public Health Act* is amended by striking out "Sanitary" in the first line and inserting in lieu thereof "Public health". R.S.O. 1960,  
c. 321, s. 41,  
amended

**12.** Section 43 of *The Public Health Act* is repealed. R.S.O. 1960,  
c. 321, s. 43,  
repealed

**13.** *The Public Health Act* is amended by adding thereto the following heading and section: R.S.O. 1960,  
c. 321,  
amended

#### CANCER SURVEYS

55b.—(1) The Minister may cause to be conducted periodic surveys of the incidence and prevalence of cancer in Ontario. Periodic  
cancer  
surveys

(2) For the purpose of the surveys mentioned in subsection 1, Reports of  
cancer cases

(a) every duly qualified medical practitioner; and

(b) every superintendent or director of,

(i) a hospital, sanatorium or other institution designated by the regulations, or

(ii) a medical clinic or medical laboratory,

shall report every case of cancer diagnosed, treated or observed by him in such manner and at such times as are prescribed by the regulations.

**14.**—(1) Subsection 1 of section 68 of *The Public Health Act* is amended by striking out "sanitary" in the fifth line and inserting in lieu thereof "public health". R.S.O. 1960,  
c. 321, s. 68,  
subs. 1,  
amended

(2) Subsection 3 of the said section 68 is amended by striking out "sanitary" in the first line and inserting in lieu thereof "public health". R.S.O. 1960,  
c. 321, s. 68,  
subs. 3,  
amended

**15.** Subsection 2 of section 73 of *The Public Health Act* is amended by striking out "sanitary" in the fifth line and inserting in lieu thereof "public health". R.S.O. 1960,  
c. 321, s. 73,  
subs. 2,  
amended

**16.** Section 88 of *The Public Health Act* is amended by striking out "sanitary" in the second line and inserting in lieu thereof "public health". R.S.O. 1960,  
c. 321, s. 88,  
amended

**17.** Subsection 1 of section 92 of *The Public Health Act* is amended by striking out "sanitary" in the third line and inserting in lieu thereof "public health". R.S.O. 1960,  
c. 321, s. 92,  
subs. 1,  
amended

R.S.O. 1960,  
c. 321, s. 98,  
subs. 1,  
amended

**18.**—(1) Subsection 1 of section 98 of *The Public Health Act* is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 98,  
subs. 2,  
amended

(2) Subsection 2 of the said section 98 is amended by striking out “sanitary” in the eighth line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 102,  
subs. 3,  
amended

**19.** Subsection 3 of section 102 of *The Public Health Act* is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 105,  
subs. 1,  
amended

**20.** Subsection 1 of section 105 of *The Public Health Act* is amended by striking out “sanitary” in the second line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 106,  
subs. 1,  
amended

**21.** Subsection 1 of section 106 of *The Public Health Act* is amended by striking out “sanitary” in the second line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 114,  
amended

**22.** Section 114 of *The Public Health Act* is amended by striking out “sanitary” in the third line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 115,  
amended

**23.** Section 115 of *The Public Health Act* is amended by striking out “sanitary” in the second line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 116,  
subs. 2,  
amended

**24.** Subsection 2 of section 116 of *The Public Health Act*, as amended by section 5 of *The Public Health Amendment Act, 1965*, is further amended by striking out “sanitary” in the sixth line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 127,  
amended

**25.** Section 127 of *The Public Health Act* is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 128,  
amended

**26.** Section 128 of *The Public Health Act* is amended by striking out “sanitary” in the fifth line and inserting in lieu thereof “public health”.

R.S.O. 1960,  
c. 321, s. 130,  
amended

**27.** Section 130 of *The Public Health Act* is amended by striking out “sanitary” in the third line and in the fourth line and inserting in lieu thereof in each instance “public health”.

R.S.O. 1960,  
c. 321, s. 131,  
amended

**28.** Section 131 of *The Public Health Act* is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”.

**29.**—(1) Paragraph 2 of Schedule B to *The Public Health Act* is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”. R.S.O. 1960,  
c. 321,  
Sched. B,  
par. 2,  
amended

(2) Paragraph 5 of the said Schedule B is amended by striking out “sanitary” in the first line and inserting in lieu thereof “public health”. R.S.O. 1960,  
c. 321,  
Sched. B,  
par. 5,  
amended

(3) Paragraph 6 of the said Schedule B is amended by striking out “sanitary” in the twelfth line and inserting in lieu thereof “public health”. R.S.O. 1960,  
c. 321,  
Sched. B,  
par. 6,  
amended

(4) Paragraph 15 of the said Schedule B is amended by striking out “sanitary” in the seventh line and inserting in lieu thereof “public health”. R.S.O. 1960,  
c. 321,  
Sched. B,  
par. 15,  
amended

**30.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**31.** This Act may be cited as *The Public Health Amendment Act, 1966*. Short title





## CHAPTER 126

## An Act to amend The Public Hospitals Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Public Hospitals Act* is amended by adding thereto the following clauses: R.S.O. 1960,  
c. 322, s. 1,  
amended

(ga) "medical department" means a division of the medical staff of a hospital for the provision of a specified type of medical diagnosis or treatment;

. . . . .

(ia) "out-patient" means a person who is received in a hospital for examination or treatment or both, but who is not admitted as a patient.

2. *The Public Hospitals Act* is amended by adding thereto the following sections: R.S.O. 1960,  
c. 322,  
amended

8a. No member of a committee of the medical staff of a hospital is liable for anything done or made *bona fide* by him or the committee in the course of or arising out of a meeting, investigation, hearing or other business of the committee. Protection  
from  
liability

8b. The medical record compiled in a hospital for a patient or an out-patient is the property of the hospital and shall be kept in the custody of the administrator. Medical  
records

3. Subsection 1 of section 35 of *The Public Hospitals Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 322, s. 35,  
subs. 1,  
amended

(na) prescribing the rates for out-patient services, including emergency cases.

4. *The Public Hospitals Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 322,  
amended

Advice as  
to quality of  
professional  
work in  
hospitals  
without  
departments

- 37.—(1) Where the medical staff of a hospital is not divided into medical departments, the chief of the medical staff or, where there is no chief, the president of the medical staff may be made responsible by by-law of the hospital to advise the medical advisory committee with respect to the quality of medical diagnosis, care and treatment provided to the patients and out-patients of the hospital.

Idem,  
in hospitals  
with  
departments

- (2) Where the medical staff of a hospital is divided into medical departments, the head of each department may be made responsible by by-law of the hospital, through and with the chief of the medical staff or, where there is no chief, through and with the president of the medical staff, to advise the medical advisory committee with respect to the quality of medical diagnosis, care and treatment provided to the patients and out-patients of his department.

Duty where  
serious  
problem  
exists

- (3) Where an officer of the medical staff who is responsible under subsection 1 or 2 becomes aware that, in his opinion, a serious problem exists in the diagnosis, care or treatment of a patient or out-patient, he shall forthwith discuss the condition, diagnosis, care and treatment of such patient or out-patient with the attending physician, and, if changes in diagnosis, care or treatment satisfactory to him are not made promptly, he shall assume forthwith the duty of investigating, diagnosing, prescribing for and treating such patient or out-patient, as the case may be, and shall notify the attending physician, the administrator and, if possible, such patient or out-patient that the member of the medical staff who was in attendance will cease forthwith to have any hospital privileges as the attending physician for such patient or out-patient.

Where no  
discussion  
with  
attending  
physician

- (4) Where the officer of the medical staff who is responsible under this section is unable to discuss the problem with the attending physician as required by subsection 3, he shall proceed with his duties as prescribed in this section as if he had had the discussion with the attending physician.

Duty of  
responsible  
officer  
to report  
action

- (5) The officer of the medical staff who is responsible under this section shall inform two members of the medical advisory committee within twenty-four hours of his action under subsection 3 or 4 and shall file

a written report with the secretary of the medical advisory committee within forty-eight hours of his action under subsection 3 or 4.

- (6) The officer of the medical staff who is responsible under this section may delegate any or all of his responsibilities and duties under this section to a member of his medical staff or of his medical department, as the case may be, but he remains accountable to the medical advisory committee for the management of the patient by that member of the medical staff to whom any such responsibility or duty is delegated. Delegation of responsibilities and duties
- (7) Where the medical advisory committee concurs in the opinion of the officer of the medical staff who has taken action under subsection 3 or 4 that such action was necessary, the secretary of the medical advisory committee shall forthwith make a detailed written report to the administrator of the problem and the action taken. Report to administrator

**5.** This Act comes into force on the day it receives Royal Assent. Commencement

**6.** This Act may be cited as *The Public Hospitals Amendment Act, 1966*. Short title



## CHAPTER 127

**An Act to amend The Public Lands Act**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Public Lands Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 324,  
amended

61a. Where land was, before the 29th day of March, 1961, sold under Part I of this Act or located under Part II of this Act, the Minister may direct the issue of letters patent to the purchaser or locatee, or any person claiming under or through the purchaser or locatee, Issue of  
patents

- (a) who has built a house on the land that is fit for habitation;
- (b) who has resided on the land or other land of which he is the registered owner that is distant not more than five miles from the land so sold or located for one or more periods totalling at least three years;
- (c) who, in respect of land in the Territorial District of Cochrane or in the Territorial District of Timiskaming, has cleared and cultivated at least fifteen acres of the land or who, in respect of land other than land in the Territorial District of Cochrane or in the Territorial District of Timiskaming, has cleared and cultivated at least 10 per cent of the land; and
- (d) who pays the balance of the purchase price of the land and the interest thereon.

**2.** Section 67 of *The Public Lands Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 324, s. 67,  
amended



## Easements

- (1a) Where a dominant tenement reverts to and becomes vested in the Crown under subsection 1, any easement appurtenant thereto passes to the Crown and, where a servient tenement reverts to and becomes vested in the Crown, any easement to which the servient tenement is subject is not affected.

Reservation  
voided

**3.** The reservation in certain letters patent dated the 22nd day of February, 1866, granting and assuring the lands described therein, situate in the Town of Niagara in the County of Lincoln and containing thirty-six acres more or less, to the Bank of Upper Canada in the words "Subject Nevertheless to all and every the powers, provisoes, reservations and conditions made, set forth, reserved and contained in the Act of Incorporation of The Niagara Harbour and Dock Company hereinbefore firstly above recited and of the Act or Acts hereinbefore severally above in part recited and of any other Act or Acts altering or amending the same heretofore passed or of any one of them" shall be deemed to be void and of no effect.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

## Short title

**5.** This Act may be cited as *The Public Lands Amendment Act, 1966*.

## CHAPTER 128

**The Public Libraries Act, 1966**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,Interpre-  
tation

- (a) "board" in Part I means a public library board, in Part II means any board established under this Act or a predecessor of this Act, in Part III means a regional library system board and in Part IV means a county library board;
- (b) "Department" means the Department of Education;
- (c) "Minister" means the Minister of Education;
- (d) "municipality" means a city, town, village, township or improvement district;
- (e) "regulations" means the regulations made under this Act or *The Department of Education Act*. R.S.O. <sup>R.S.O. 1960,</sup> c. 94 1960, c. 325, s. 1, *amended*.

## PART I

## PUBLIC LIBRARY SERVICE

**2.**—(1) Subject to subsections 2 and 3, every public library established under a predecessor of this Part that is being operated immediately before this Act comes into force is continued subject to this Part. R.S.O. 1960, c. 325, ss. 2, 50, *amended*.

(2) Where a public library heretofore established for a school section is being operated immediately before this Act comes into force, the council of the municipality in which

the public library of the school section is situate shall establish a public library, and, on the day the board for such public library is organized, the public library board of the school section is dissolved and its assets and liabilities become assets and liabilities of the public library board of the municipality.

Public  
libraries  
established  
for police  
villages

(3) Where a public library heretofore established for a police village is being operated immediately before this Act comes into force, the council of the municipality in which the public library of the police village is situate shall establish a public library, and, on the day the board for such public library is organized, the public library board of the police village is dissolved and its assets and liabilities become assets and liabilities of the public library board of the municipality, and, if the police village is situate in two or more municipalities, the public library established for the municipality shall be open to all persons who reside in the police village as if they resided in the municipality.

Public  
libraries in  
school  
sections in  
unorganized  
territory  
continued

(4) Every public library heretofore established for a school section in territory without municipal organization that is being operated immediately before this Act comes into force is continued until it is disestablished upon a petition signed by a majority of the public and separate school supporters in the school section filed with the secretary of the public school board of the school section, and, when so disestablished, the assets of the public library board shall be distributed as the Minister may direct. *New.*

Public  
libraries,  
establish-  
ment

**3.**—(1) The council of a municipality and the trustees of an improvement district may by by-law establish a public library. R.S.O. 1960, c. 325, s. 3, *amended.*

Effective  
date

(2) A by-law passed in any year for the establishment of a public library shall become effective on the 1st day of January of the following year. *New.*

Board

(3) Every public library shall be under the management, regulation and control of a board, which is a corporation under the name of “The (*insert name of municipality*) Public Library Board”. R.S.O. 1960, c. 325, s. 13, *amended.*

Quali-  
fications of  
members of  
board

**4.** A person is qualified to be appointed as a member of a board who,

- (a) is a Canadian citizen;
- (b) is of the full age of twenty-one years;
- (c) is resident in a municipality for which the board is established; and
- (d)

- (d) is not a member of any one of the bodies entitled to make an appointment to the board. R.S.O. 1960, c. 325, s. 14, *amended*.

5.—(1) The board of an urban municipality having a population of 10,000 or more shall be composed of the mayor or reeve and three members appointed by the council, three members appointed by the public school board or board of education having jurisdiction in the municipality, and two members appointed by the separate school board, if any, for the municipality. R.S.O. 1960, c. 325, s. 15 (1), *amended*. Composition of board in city, town or village of 10,000 or more population

(2) The board of a township having a population of 10,000 or more shall be composed of the reeve of the township and three members appointed by the council, three members appointed by the public school board or board of education having jurisdiction in the township, and two members appointed by the separate school board, if any, having jurisdiction in the township. In township of 10,000 or more population

(3) Where there is more than one board qualified to deal with public school affairs in a township or more than one separate school board having jurisdiction in a township, in each case, the board that is supported by the greatest amount of assessment in the township shall appoint the members to be appointed by the public school board, board of education or separate school board, as the case may be, under subsection 2. 1962-63, c. 115, s. 1, *part, amended*. Appointment where more than one board

(4) Each member appointed by a council, public school board or board of education shall hold office for three years and each member appointed by a separate school board shall hold office for two years, provided that of the members first appointed by a council, public school board or board of education one member shall be appointed for one year, one member for two years and one member for three years, and of the members first appointed by a separate school board one member shall be appointed for one year and one member for two years, and every member shall continue to hold office until his successor is appointed. R.S.O. 1960, c. 325, s. 15 (2, 3); 1962-63, c. 115, s. 1, *part, amended*. Term of office

(5) The first appointments of members of a new board shall be made at the last regular meeting of the appointing body in the year before the board is to be organized and the members shall take office on the 1st day of January in the following year, and thereafter appointments shall be made at the first meeting of the appointing body in each year, but, if an appointing body fails to appoint a member at its first meeting, it shall make the appointment at its next regular meeting. R.S.O. 1960, c. 325, s. 22, *amended*. Time for making appointments



Composition  
of board in  
municipalities  
under  
10,000  
population

6. The board of a municipality having a population of less than 10,000 shall be composed of the mayor or reeve and four members appointed annually by the council, and every member shall continue to hold office until his successor is appointed. *New.*

Union  
public  
library

7.—(1) The councils of two or more municipalities may enter into agreement for the establishment of a union public library.

Agreement

(2) Any agreement under subsection 1 shall provide for the proportion of the cost of the establishment, operation and maintenance of the union public library, including the cost of existing libraries, that shall be borne by each municipality.

Union  
board

(3) Every union public library shall be under the management, regulation and control of a board, which is a corporation under the name of "The (*insert names of municipalities concerned*) Union Public Library Board".

Composition  
of board

(4) A union public library board shall be composed of such number of members appointed by the council of each municipality concerned for such term of office and in such manner as the agreement may provide.

Qualifica-  
tions of  
members

(5) All members of a union public library board who are not members of a municipal council shall be Canadian citizens, over twenty-one years of age and residents of a municipality for which the union public library is established.

Dissolution  
of boards  
included  
in union

(6) When a union public library is established, the boards formerly established in the municipalities for which the union public library board is established are thereby dissolved, and the assets and liabilities of such boards are vested in and assumed by the union public library board. R.S.O. 1960, c. 325, s. 20, *amended.*

Vacancies,  
how filled

8. Vacancies in a board arising from death, resignation or otherwise shall be filled forthwith by the appointing body, and the person appointed to fill a vacancy shall hold office for the unexpired term of the person whose place has become vacant. R.S.O. 1960, c. 325, s. 23 (1), *part, amended.*

Vacancies  
by disquali-  
fication

9.—(1) If a member of a board is convicted of an indictable offence, or becomes mentally ill, or absents himself from the meetings of the board for three consecutive months without being authorized by resolution entered upon its minutes, or ceases to be a resident within a municipality for which the board was established, he thereby vacates his seat, and the



remaining members shall forthwith declare his seat vacant and notify the appointing body accordingly. R.S.O. 1960, c. 325, s. 23 (1), *part, amended*.

(2) Notwithstanding subsection 1, where a member of a <sup>Proviso</sup> board is convicted of an indictable offence, the vacancy shall not be filled until the time for taking any appeal that may be taken from the conviction has elapsed or until the final determination of any appeal so taken, and, in the event of the quashing of the conviction, the seat shall be deemed not to have been vacated. *New*.

**10.**—(1) A member of a board shall not enter into any contract, agreement, engagement or promise, either in his own name or in the name of another, and either alone or jointly with another, in which he has any pecuniary interest, profit or promised or expected benefit, with the board of which he is a member, or have any pecuniary claim, except in respect of expenses under section 14, upon or receive compensation from the board for any work, engagement, employment or duty on behalf of the board, and every such contract, agreement, engagement or promise is void, and a member violating the provisions of this section thereby vacates his seat. R.S.O. 1960, c. 325, s. 24 (1). <sup>Members of board not to be parties to contracts, etc.</sup>

(2) No person is disqualified from being a member of a board or from sitting and voting on such board by reason only of being proprietor of or otherwise interested in a newspaper or other periodical publication that is subscribed for or in which an advertisement is inserted by the board in the regular course of business, if such subscription or advertisement is paid for at the usual rate, but such member is not entitled to vote where his own account is in question. R.S.O. 1960, c. 325, s. 25. <sup>Saving as to newspaper proprietors, etc.</sup>

(3) On the complaint of any ratepayer of the municipality, or of the remaining member or members of the board, the judge of the county or district court or, if he is a member of the board, the master of the Supreme Court shall, on proof of the facts, declare the seat vacant, and the secretary of the board shall forthwith notify the appointing body to make a new appointment. R.S.O. 1960, c. 325, s. 24 (2). <sup>Proceeding to vacate seat</sup>

**11.**—(1) Every board at its first meeting in each year shall elect one of its members as chairman. <sup>Chairman</sup>

(2) In the absence of the chairman from any meeting, the board may appoint one of its members as acting chairman for the meeting. R.S.O. 1960, c. 325, s. 26 (1, 2). <sup>Acting chairman</sup>

## Staff

**12.**—(1) A board may appoint and remove such officers and servants as it deems necessary, determine the terms of their employment, fix their remuneration and prescribe their duties. R.S.O. 1960, c. 325, s. 33, cl. (b), *amended*.

## Secretary

(2) Every board shall appoint a secretary, who may also be the librarian and who shall,

(a) conduct the official correspondence for the board; and

(b) keep a full and correct record of the proceedings of every meeting of the board in a minute book provided for that purpose by the board, and ensure that the minutes when confirmed are signed by the presiding officer.

## Treasurer

(3) Every board shall appoint a treasurer, who may also be the secretary or assistant secretary and who shall,

(a) receive and account for all moneys of the board;

(b) open an account in the name of the board in a chartered bank approved by the board;

(c) deposit all moneys received by him on account of the board, and no other moneys, to the credit of such account or accounts; and

(d) disburse all moneys as directed by the board. R.S.O. 1960, c. 325, s. 26 (3, 4).

## Regular meetings

**13.**—(1) Every board shall hold regular meetings at least once every month from February to June inclusive and from September to January inclusive and at such other times as it deems necessary.

## Special meetings

(2) The chairman or any two members of a board may summon a special meeting of the board by giving at least two days notice in writing to each member, specifying the purpose for which the meeting is called.

## Quorum

(3) The presence of a majority of all the members constituting a board is necessary for the transaction of business at any general or special meeting. R.S.O. 1960, c. 325, s. 27 (1-3), *amended*.

## Voting

(4) The chairman or acting chairman of a board may vote with the other members of the board upon all questions, and any question on which there is an equality of votes shall be deemed to be negative. R.S.O. 1960, c. 325, s. 26 (5).

**14.** The members of a board shall serve without remuneration, but they shall be reimbursed by the board for proper travelling and other expenses incurred in carrying out their duties as members of the board. R.S.O. 1960, c. 325, s. 94, cls. (f, g), *amended*. Expenses

**15.** Any public library board or regional or county library board may enter into agreements with any other such board or with a municipal council, school board, council of an Indian band or any person for providing any library service on such terms and conditions as may be agreed upon. R.S.O. 1960, c. 325, ss. 11, 12, 21, *amended*. Agreements for library service

**16.—**(1) A board may acquire by purchase, lease or otherwise and may expropriate any land required for its purposes and may erect buildings thereon and make additions to or alterations of such buildings, and, with the consent of the council of the municipality or of a majority of the councils of the municipalities, where there are more than one, for which it was established, may sell, lease or otherwise dispose of any land or building when no longer required for such purposes. Real property

(2) A board, with the consent of the council or councils of the municipality or municipalities for which it was established, may acquire, or may erect on any land held by it, buildings larger than are required for library or branch library purposes, and may lease any parts of the buildings not so required. Acquisition or erection of building larger than required

(3) *The Expropriation Procedures Act, 1962-63* applies to the expropriation of land under subsection 1. R.S.O. 1960, c. 325, s. 31, *amended*. Application of 1962-63, c. 43

**17.** Every board,

Powers and duties of board

- (a) shall endeavour to provide in co-operation with other boards a comprehensive and efficient library service;
- (b) shall ensure that every library under its charge is conducted in accordance with this Act and the regulations;
- (c) shall fix the times and places for the meetings of the board and the mode of calling and conducting them, and ensure that a full and correct account of the proceedings thereat is kept;
- (d) shall transmit to the Minister all reports required by this Act and the regulations or requested by him;

(e)

- (e) shall make provision for insuring the buildings and equipment owned by the board;
  - (f) shall operate a main library;
  - (g) shall take proper security for the treasurer or secretary-treasurer;
  - (h) may operate any number of branch libraries, reading rooms, mobile units, deposit stations, art galleries, museums, and film and other special services in connection with a library that it deems necessary; and
  - (i) may appoint such committees as it deems expedient.
- R.S.O. 1960, c. 325, s. 32, *amended*.

Librarians,  
appoint-  
ment

**18.**—(1) Every board shall appoint one or more librarians who,

- (a) in the case of a board in a municipality having a population of 10,000 or more, or in municipalities having a combined population of 10,000 or more, shall hold a certificate of librarianship issued by the Minister; and
- (b) in the case of a board in a municipality having a population of less than 10,000, or in municipalities having a combined population of less than 10,000, shall hold a certificate of librarianship, or a certificate of library service, issued by the Minister.

Idem

(2) Where a board after reasonable effort is unable to employ a librarian under subsection 1, the board shall apply to the Minister for permission to employ an uncertificated person as a librarian.

Chief  
executive  
officer

(3) The chief librarian shall be the chief executive officer of the board. 1962-63, c. 115, s. 2, *amended*.

Retirement  
allowances

**19.** A board may, with the approval of the council or councils of the municipality or municipalities for which it is established, grant an annual retirement allowance to an employee in accordance with section 240 of *The Municipal Act*, which section applies *mutatis mutandis*. R.S.O. 1960, c. 325, s. 34, *amended*.

R.S.O. 1960,  
c. 249

Pensions

**20.** A board, by resolution, may provide pensions for employees or any class thereof in the manner and subject to the conditions set out in paragraph 59 of section 377 of *The Municipal Act*, which paragraph applies *mutatis mutandis*. R.S.O. 1960, c. 325, s. 35, *amended*.



**21.** A board, by resolution, may establish a system of sick leave credit gratuities for employees or any class thereof in the manner and subject to the conditions set out in paragraph 60 of section 377 of *The Municipal Act*, which paragraph applies *mutatis mutandis*. R.S.O. 1960, c. 325, s. 36, *amended*.  
Sick leave credits  
R.S.O. 1960,  
c. 249

**22.**—(1) Subject to the regulations, a board may make rules for the use of the library, reading rooms and museums and for the admission of the public thereto, and for regulating all other matters and things connected with the management of the library, reading rooms and of all property under its control, and may impose fines for breaches of the rules, not exceeding \$25 for any offence. R.S.O. 1960, c. 325, s. 37 (1).  
Rules

(2) Nothing herein precludes the recovery of the value of articles or things damaged or the amount of damage sustained from persons liable for such articles or things. R.S.O. 1960, c. 325, s. 28, *amended*.  
Right to damages

(3) Subject to the regulations, a board may close the library for a limited number of days when, in the opinion of the board, such closing is necessary or expedient, and the board may close the library for a period not exceeding three successive weeks at any time during the period between the 1st day of June and the 31st day of August in any year. R.S.O. 1960, c. 325, s. 39, *amended*.  
Closing library for limited period

(4) A board may permit any part of its library buildings to be used for any educational or other lawful purposes that it deems proper. R.S.O. 1960, c. 325, s. 40, *amended*.  
Permitting use of building

**23.**—(1) Every board in each year shall prepare and adopt and submit to the council of the municipality, or to each of the councils of the municipalities, for which the board was established, on or before such time as the council may prescribe, estimates of all sums required during the year for the purposes of the board, and such estimates,  
Estimates

(a) shall set forth the estimated revenues and expenditures of the board;

(b) shall make due allowance for a surplus of the previous year that will be available during the current year;

(c) shall provide for any deficit of any previous year; and

(d) may provide for capital expenditures to be made out of current funds. R.S.O. 1960, c. 325, s. 41, *amended*.

(2) The amount of the estimates of the board that is approved by the council shall be paid to the board out of the  
Approval of estimates



moneys appropriated for the board in such amounts as may be requisitioned from time to time. R.S.O. 1960, c. 325, s. 42 (1), *amended*.

Where two  
or more  
municipalities  
concerned

(3) Where a board is established for two or more municipalities, the board shall submit with its estimates a statement as to the proportion thereof to be chargeable to each of the municipalities, and, if the estimates of the board are approved, or are amended and approved, by the councils of the municipalities representing more than one-half of the population of the area for which the board was established, the estimates as so approved are binding on all the municipalities in the area. *New*.

Debentures  
for library  
purposes

**24.**—(1) Subject to the approval of the Ontario Municipal Board, the sums required by a board for the purposes of acquiring a site or building or erecting or altering a building or, in the first instance, for acquiring books and other things required for a library, on the application of the board, may be raised by the issue of municipal debentures.

Application  
to council

(2) The application shall be made to the council or councils of the municipality or municipalities for which the board was established.

Council to  
deal with  
application

(3) The council or, if more than one, each of the councils applied to, at its first meeting after receiving the application or as soon thereafter as possible, shall consider and approve or disapprove the application, and, if a vote in any council results in a tie, the application shall be deemed to be disapproved by the council.

Issue of  
debentures

(4) If the council, or a majority of the councils where there are more than one, approves the application, the council of the municipality or, where more than one, the council of the municipality having the greatest assessment shall raise the sum required by the issue of debentures in the manner provided by *The Municipal Act*, or, if it so desires, the council of any municipality may raise its proportion of the sum required by the issue of its own debentures.

R.S.O. 1960,  
c. 249

Submission  
of applica-  
tion to  
ratepayers

(5) If the council, or half or a majority of the councils where there are more than one, disapproves the application, the council or each of the councils on the request of the board shall submit the application to a vote of the electors of its municipality who are qualified under *The Municipal Act* to vote on money by-laws, in the manner provided in *The Municipal Act* in the case of a money by-law.

(6) Unless the board otherwise agrees, such vote shall be held within ninety days of the receipt of the request therefor from the board. When vote to be held

(7) If a majority of the votes cast throughout the area for which the board was established is in favour of the application, the council of the municipality in which the public library is or is to be situated shall raise the required sum by the issue of debentures in the manner provided in *The Municipal Act*. When vote favourable  
R.S.O. 1960,  
c. 249  
R.S.O. 1960, c. 325, s. 43, *amended*.

**25.** The council of any municipality or county may make grants in money or lands or buildings to a board. Grants from municipal councils R.S.O. 1960, c. 325, s. 44.

**26.** Any person, at all reasonable times, may inspect any records, books, accounts and documents in the possession or under the control of the secretary of a board. Inspection of records R.S.O. 1960, c. 325, s. 28 (2), *amended*.

**27.** All public libraries operated by a board shall be open to the public free of charge, provided that the board may impose such fees as it deems proper for the use of any library service by any person who is not resident in the area in which the board has jurisdiction. Libraries to be open to public R.S.O. 1960, c. 325, s. 45, *amended*.

**28.** Every board shall permit the public to have free use of the circulating and reference books and such other services of the library as it deems practicable, but the board may charge fees for such other services as it deems necessary. Free use of library services R.S.O. 1960, c. 325, s. 46, *amended*.

**29.** Where the council of an Indian band establishes a public library, such library, if approved by the Minister, shall be deemed to be a public library established under this Part for the purposes of legislative grants. Library of Indian band *New*.

## PART II

### PROVINCIAL LIBRARY SERVICE

**30.** The Lieutenant Governor in Council may make regulations, Regulations

- (a) providing for the apportionment and distribution of all moneys appropriated by the Legislature for library purposes;
- (b) prescribing the conditions governing the payments of grants to boards;

(c)

- (c) respecting the establishment, organization, management, accommodations and rules of public libraries;
- (d) respecting the establishment, organization, management and courses of instruction of library schools, examinations of students, and providing for the issuance of certificates to students successful at library schools;
- (e) governing the qualifications of librarians and assistants and library clerks in public libraries;
- (f) governing the conduct of examinations and practical tests, and the determination of the results thereof;
- (g) governing the granting of temporary, interim, special permanent and renewed certificates of qualification to librarians and assistants;
- (h) prescribing the courses and examinations for the academic and professional training of librarians and assistants;
- (i) providing for the suspension and cancellation of certificates of qualification granted by the Department;
- (j) governing the management and organization of library institutes. R.S.O. 1960, c. 325, s. 92, *amended*.

Withholding  
grant on  
default of  
board

**31.** Where a board in any year fails to comply with this Act or the regulations, the Minister may withhold the whole or any part of the legislative grant payable to the board for that year. R.S.O. 1960, c. 325, s. 93.

Director of  
Provincial  
Library  
Service

**32.** The Lieutenant Governor in Council may appoint an officer, to be known as the Director of Provincial Library Service, who shall, under the direction of the Minister, supervise the operation of this Act and promote and encourage the extension of library service throughout Ontario. *New*.

Ontario  
Provincial  
Library  
Council

**33.**—(1) There shall be a council, to be known as the Ontario Provincial Library Council, herein called the Council, composed of,

- (a) nine members appointed by the Minister; and
- (b) one member appointed by the board of each regional library system.

(2) Of the members first appointed by the Minister, three <sup>Term of office</sup> members shall be appointed to hold office for two years and three members for four years, and thereafter members shall be appointed to hold office for six years.

(3) The members appointed by the boards of regional library <sup>Idem</sup> systems shall hold office for one year. *New.*

**34.**—(1) The Council shall elect a chairman and a vice-<sup>Officers</sup> chairman from among its members and may appoint such officers and servants, except a secretary, as it deems necessary.

(2) The Director of Provincial Library Service shall be the <sup>Secretary</sup> secretary of the Council, but shall not vote on the matters of the Council.

(3) The officers elected or appointed under this section <sup>Executive Committee</sup> and the secretary shall constitute the Executive Committee of the Council.

(4) The Council may appoint such other committees as <sup>Committees</sup> it deems necessary. *New.*

**35.** The Council shall make recommendations to the <sup>Duties</sup> Minister with respect to the development and co-ordination of library service in Ontario. *New.*

**36.**—(1) The Council shall meet at least three times in <sup>Meetings</sup> each year at such times and places as the Executive Committee shall determine.

(2) The members of the Council shall be reimbursed by the <sup>Expenses of members</sup> Council for proper travelling and other expenses incurred in carrying out their duties as members of the Council. *New.*

### PART III

#### REGIONAL LIBRARY SERVICE

**37.** The Minister, upon receipt of a request from five or <sup>Regional library system, establishment</sup> more public library boards, of which at least one has jurisdiction in a municipality having a population of 15,000 or more, to establish a regional library system to assist libraries within the region, may establish a regional library system and determine the boundaries of the region. 1962-63, c. 115, s. 3, *part, amended.*

**38.** The region for which a regional library system may be <sup>Region</sup> established shall have a population of at least 100,000 and shall include at least two territorial districts or counties, and the Minister may alter the boundaries of a region. 1962-63, c. 115, s. 3, *part, amended.*



Regional  
library  
co-opera-  
tives deemed  
regional  
library  
systems

**39.** Each regional library co-operative established under a predecessor of this Act that is in existence immediately before this Act comes into force shall be deemed to be a regional library system for the region in which it then had jurisdiction as it may be altered by the Minister. *New.*

Board,  
corporate  
name

**40.—(1)** Every regional library system shall be under the management, regulation and control of a board, which is a corporation under the name of "The Board of the (*insert name selected by the board and approved by the Minister*) Regional Library System".

Composition  
of board

(2) Every board shall be composed of,

- (a) one member appointed by the public library board in each municipality having a population of 15,000 or more in the region;
- (b) one member appointed by each county library board having jurisdiction in the region;
- (c) if the number of members appointed under clauses *a* and *b* is fewer than nine, such number of members appointed by the Minister to the extent that the number of members on the board will not exceed nine; and
- (d) if the number of members appointed under clauses *a*, *b* and *c* is fewer than nine, a number of members, not to exceed the number of members appointed under clause *a*, elected by the other public library boards having jurisdiction in the region to the extent that the number of members on the board will not exceed nine.

Term of  
office

(3) A member of a board shall hold office until the 31st day of December of the year for which he is elected or appointed, except that the first members of a board shall hold office during the year in which the board is established and until the 31st day of December of the following year, but every member shall continue to hold office until his successor is elected or appointed.

Vacancies

(4) A board may appoint a person to fill a vacancy created by any means in the membership of the board, and the person so appointed shall hold office for the remainder of the term of his predecessor. 1962-63, c. 115, s. 3, *part, amended.*

Future  
terms  
limited to  
five con-  
secutive  
years

(5) A member who is appointed or elected to a board after this Act comes into force shall not hold office for more than five consecutive years. *New.*



**41.** The Director of Provincial Library Service shall arrange for elections and appointments to each board and shall call the first meeting of each board. *New.* Director to  
arrange  
elections,  
etc.

**42.** Every board shall endeavour to improve the standards of library service by providing a plan for co-ordinating and developing library service within the region, and shall submit each year a summary of such plan to the Ontario Provincial Library Council. *New.* Duties of  
board

**43.**—(1) One or more municipal councils within the region in which a board has jurisdiction may, at the request of the board and subject to the approval of the Ontario Municipal Board, raise the sums required by the board for the purpose of acquiring sites or purchasing, erecting or altering buildings. Power to  
raise sums  
for sites,  
etc.

(2) A council of a municipality in which a board has jurisdiction may, at the request of the board, levy on the rateable property within the municipality a rate sufficient to provide a sum for library service in accordance with the terms of an agreement between the board and the council. *New.* Power to  
levy for  
library  
purposes

**44.** A board may,

Powers of  
board

- (a) establish, separately or within one or more of the public libraries established in the region in which the board has jurisdiction, a collection of reference books and other items as the basis of a reference service for the region;
- (b) promote inter-library loan of books and other means of furthering the efficiency and co-ordination of library service;
- (c) establish a central service, and determine services that may be provided by one or more public library boards for other public library boards in the region, for,
  - (i) selecting, ordering, cataloguing, processing, circulating, storing and disposing of books, films and other materials,
  - (ii) providing an advisory service for the purpose of improving public library standards,
  - (iii) providing programmes of an educational nature for adults,
  - (iv) providing programmes of an educational nature for librarians and library assistants, and

(v)

- (v) providing other similar services;
- (d) charge fees for supplying any library service, and determine the unit cost of supplying each service;
- (e) with the approval of the Minister, undertake responsibilities for providing inter-library loan of books and other services throughout Ontario; and
- (f) appoint a regional director of library services, who,
  - (i) shall hold a Class A, B or C certificate of librarianship,
  - (ii) may be an employee of a public library board having jurisdiction in the region if that board agrees to the appointment, and
  - (iii) shall not be an employee of any other public library board. 1962-63, c. 115, s. 3, *part, amended*.

Public  
library  
associations  
dissolved

**45.** On the 1st day of January, 1967, each public library association then in existence is dissolved, and its assets and liabilities become assets and liabilities of the board of the regional library system having jurisdiction in the area in which the association has jurisdiction. *New*.

Application  
of general  
provisions

**46.** Sections 8 to 12, 14 to 16, 18 to 22 and 25 to 28 apply *mutatis mutandis* to every board of a regional library system. *New*.

## PART IV

### COUNTY LIBRARY SERVICE

County  
library,  
establish-  
ment

**47.**—(1) Where at least 75 per cent of the municipalities forming part of a county for municipal purposes request the county to establish a county library, the council of the county may by by-law establish a county library for all such municipalities. R.S.O. 1960, c. 325, s. 86 (1).

Idem

(2) Where at least half of the municipalities forming part of a county for municipal purposes and having a combined population of at least 25,000 request the county to establish a county library, the council of the county may by by-law establish a county library for all the municipalities that so request. 1961-62, c. 118, s. 3.

Request  
for estab-  
lishment

(3) No request of a local municipality for the establishment of a county library shall be acted on unless the request is authorized by a favourable vote of a majority of the members of the council of the local municipality.

(4) A by-law passed by the council of a county under this section is not effective until approved by the Minister and, when so approved, is effective on the 1st day of January of the year following unless otherwise provided in the by-law. Approval of Minister

(5) When a county library is established, every public library board and county library co-operative established for a municipality or any part thereof that is included in the area for which the county library is established is thereby dissolved, and the assets and liabilities of such boards are thereby vested in and assumed by the county library board unless otherwise provided in the by-law establishing the county library. Dissolution of public library boards, etc.  
R.S.O. 1960, c. 325, s. 86 (2-4), *amended*.

**48.**—(1) Every county library shall be under the management, regulation and control of a board, which is a corporation under the name of "The (*insert name of county*) County Library Board". County library board

(2) A county library board shall be composed of the warden of the county and six members appointed by the county council, three of whom shall be members of the county council who represent a local municipality included in the area for which the county library was established and three of whom shall be persons resident in a municipality in which the board has jurisdiction who are twenty-one years of age and Canadian citizens and who are not members of the council. Composition of board

(3) The members of the board who are not members of the county council shall hold office for three years, except that, when appointments are made to a newly-established board, one member shall be appointed for one year, one member for two years and one member for three years. Term of office of members other than councillors

(4) The council of the county shall make such appointments at the first meeting of council in each year. Appointments

(5) Each member shall hold office until his successor is appointed. Term of office

(6) The first meeting of a newly-established board shall be called by the clerk of the county forthwith after the members of the board have been appointed. R.S.O. 1960, c. 325, s. 87, *amended*. First meeting

**49.** Sections 8 to 22 and 25 to 28 apply *mutatis mutandis* to every county library board. R.S.O. 1960, c. 325, s. 88, *amended*. Application of general provisions

**50.** Every county library board shall operate and maintain a library as a branch in each local municipality that operated Branch libraries

a public library prior to the date upon which that municipality became part of the county library system. R.S.O. 1960, c. 325, s. 89.

#### Librarian

**51.** Every board shall appoint a librarian who shall,

(a) hold a Class A, B or C certificate of librarianship issued by the Minister;

(b) be the chief executive officer of the board; and

(c) attend the meetings of the board or designate a person to represent him. R.S.O. 1960, c. 325, s. 90.

#### County library rate

**52.**—(1) The council of a county in which a county library has been established may by by-law provide for the levying of a rate, upon the equalized assessment of the municipalities that form part of the county for municipal purposes and that are included in the area in which the county library board has jurisdiction, sufficient to meet the amount estimated by the board to meet its operating costs, as approved by the council, and such rate shall form part of the county rates for such municipalities. R.S.O. 1960, c. 325, s. 91.

#### Accommodation may be provided by local municipality

(2) Where such rate in any year is not sufficient for the purpose of providing accommodation for branch libraries, the council of one or more municipalities may, at the request of the board, rent accommodation to the board and may, subject to the approval of the Ontario Municipal Board, issue municipal debentures for the cost of constructing buildings for the purposes of the board, but the ownership thereof shall remain with the municipal corporation. *New.*

#### County library co-operatives continued

**53.**—(1) Every county library co-operative board established under a predecessor of this Act that is in existence immediately before this Act comes into force, subject to subsection 2, is continued with the same powers and duties that it now has.

#### When dissolved

(2) Where a county library co-operative has jurisdiction in an area for which a county library is established, the county library co-operative is dissolved, and its assets and liabilities become assets and liabilities of the county library board. *New.*

#### Composition of board

(3) The board of a county library co-operative shall be composed of the warden of the county and six members appointed annually by the county council, three of whom shall be members of the county council. R.S.O. 1960, c. 325, s. 84 (2).



**54.** The following are repealed:

Repeal:

1. *The Public Libraries Act.*

R.S.O. 1960,  
c. 325

2. *The Public Libraries Amendment Act, 1961-62.*

1961-62,  
c. 118

3. *The Public Libraries Amendment Act, 1962-63.*

1962-63,  
c. 115

**55.** This Act comes into force on the 1st day of January, 1967.

Commence-  
ment

**56.** This Act may be cited as *The Public Libraries Act, 1966.*

Short title





## CHAPTER 129

## An Act to amend The Public Schools Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 10 of *The Public Schools Act* is repealed.

R.S.O. 1960,  
c. 330, s. 10,  
repealed

2. Section 11 of *The Public Schools Act*, as amended by section 2 of *The Public Schools Amendment Act, 1960-61*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 11,  
re-enacted

- 11.—(1) Where the land of any person is situate within the limits of two or more school sections, the parts so situate shall be assessed upon the assessment roll separately according to the divisions of the school sections within the limits of which the parts are situate.

Assessment  
of land  
in each  
school  
section

- (2) All parts of a school section, except those parts of a township school area or district school area that are in territory without municipal organization, shall be adjoining.

Parts of  
section to be  
adjoining

- 3.—(1) Subsection 7 of section 13 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 13  
(1964, c. 95,  
s. 3),  
subs. 7,  
re-enacted

- (7) The council of a county may, by by-law passed before the 1st day of July in any year, include in a county school area, as recommended by the consultative committee, all or part of one or more municipalities in an adjoining county or counties if the council or councils of the adjoining county or counties, by resolution, consent thereto within ninety days after the passing of the by-law.

Municipalities in  
adjoining  
counties

- (2) The said section 13 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 330, s. 13  
(1964, c. 95,  
s. 3),  
amended

Where city  
or separated  
town in-  
cluded in  
county  
school area

- (7a) Where a by-law passed under subsection 6, 6a or 7 includes all or part of a city or separated town in a county school area, the by-law is not effective unless the council of the city or separated town, by resolution, consents thereto within ninety days after the passing of the by-law.

R.S.O. 1960,  
c. 330, s. 13  
(1964,  
c. 95, s. 3),  
subs. 9,  
amended

- (3) Subsection 9 of the said section 13 is amended by inserting after "6" in the first line "or 6a", so that the subsection shall read as follows:

Dissolution  
of boards

- (9) When a by-law passed under subsection 6 or 6a comes into force, every school section that is wholly included in the county school area ceases to exist and the board of such section is dissolved, and all the real and personal property vested in such board is vested in the board of the county school area.

R.S.O. 1960,  
c. 330, s. 13,  
subs. 11  
(1965,  
c. 109, s. 5,  
subs. 4),  
amended

- (4) Subsection 11 of the said section 13, as re-enacted by subsection 4 of section 5 of *The Public Schools Amendment Act, 1965*, is amended by inserting after "Act" in the fifth line "which subsections apply *mutatis mutandis*", so that the subsection, exclusive of the clauses, shall read as follows:

Board,  
composition

- (11) There shall be a board of public school trustees for every county school area, which shall consist of the number of elected trustees provided for boards of education under subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act*, which subsections apply *mutatis mutandis*, provided that,

R.S.O. 1960,  
c. 362

- (5) The said section 13 is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 330, s. 13  
(1964,  
c. 95, s. 3),  
amended

Election  
where  
Minister  
determines  
representa-  
tion

- (11a) Where the Minister determines that two or more municipalities or any part or parts thereof shall be combined for the purposes of the election of one or more trustees, such trustee or trustees shall be elected by the general vote of the persons qualified to vote for public school trustees in such combined area, and,

- (a) the nominations for such trustees shall be conducted by the returning officer of the municipality having the greatest assessment for public school purposes in the combined area and shall be held at the same time and place as nominations for municipal councillors in that municipality;

(b)

- (b) the election of such trustees shall take place in each municipality during the same hours and on the same day as the annual municipal elections in the municipality in which the nominations were held in the same manner as nearly as may be as the election of municipal councillors; and
- (c) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announcement of the vote and shall notify the board in writing of his determination.

(6) Subsection 14 of the said section 13 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 13  
(1964,  
c. 95, s. 3),  
subs. 14,  
re-enacted

- (14) Every county school area is an enlarged administrative area.

Enlarged  
adminis-  
trative area

4.—(1) Clause *a* of subsection 6 of section 14 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 14  
(1964,  
c. 95, s. 3),  
subs. 6,  
cl. *a*,  
re-enacted

- (a) the desirability of establishing or enlarging district school areas comprising part or all of two or more municipalities, school sections or territory without municipal organization; and

. . . . .

(2) Subsection 9 of the said section 14 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 14  
(1964,  
c. 95, s. 3),  
subs. 9,  
re-enacted

- (9) A by-law passed under subsection 7 or 8 shall, if approved, within ninety days of the passing of the by-law, by the councils of the municipalities concerned and the public school boards concerned that are entirely within territory without municipal organization having at least 90 per cent of the assessment for public school purposes within the district school area proposed in the by-law, and by the Minister, come into force on the 1st day of January after it is approved by the Minister, except that, for the purposes of the election of trustees, it shall be effective on the day it is approved by the Minister.

Effective  
date of  
by-law

R.S.O. 1960,  
c. 330, s. 14  
(1964,  
c. 95, s. 3),  
subs. 10,  
amended

(3) Subsection 10 of the said section 14 is amended by inserting after "7" in the first line "or 8", so that the subsection shall read as follows:

Dissolution  
of boards

(10) When a by-law passed under subsection 7 or 8 comes into force, each school section that is wholly included in the district school area ceases to exist and the board of such section is dissolved, and all the real and personal property vested in such board is vested in the board of the district school area.

R.S.O. 1960,  
c. 330, s. 14  
(1964,  
c. 95, s. 3),  
subs. 12,  
re-enacted

(4) Subsection 12 of the said section 14 is repealed and the following substituted therefor:

Board

(12) There shall be a board of public school trustees for every district school area, which shall consist of the same number of elected trustees, and elected in the same manner, as boards of education under sections 55 and 56 of *The Secondary Schools and Boards of Education Act*, which sections, except subsection 2 of section 56, apply *mutatis mutandis*, except that there shall be no appointed trustees, provided that,

R.S.O. 1960,  
c. 362

- (a) where the number of trustees is fewer than five or more than nine, the Minister, on the request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be elected to the board, the municipality or municipalities to be represented by each trustee, and their terms of office;
- (b) where the Minister determines that two or more municipalities or any part or parts thereof shall be combined for the purposes of the election of one or more trustees, such trustee or trustees shall be elected in accordance with the provisions of subsection 11a of section 13;
- (c) where a municipality or part thereof is included in the district school area and the assessment for public school purposes in such municipality or part is less than 10 per cent of the total assessment for public school purposes in the district school area, as adjusted by the application of the latest equalization factors provided by the Department of Municipal Affairs, such municipality or part shall not be deemed a municipality for the purposes of such sections 55 and 56.



- (12a) Where a district school area includes a municipality or part that is not deemed a municipality for the purposes of section 55 or 56 of *The Secondary Schools and Boards of Education Act*, such municipality or part shall, for the purposes of the election of trustees and of voting on school matters, be attached, by resolution of the public school consultative committee, to a municipality, all or part of which is included in the district school area, that is a municipality for the purposes of such sections 55 and 56, and the clerk of the municipality or part so attached shall furnish to the clerk of the municipality to which it is attached a certified copy of the list of voters qualified to vote on school matters in such municipality or part.

Where municipalities and parts thereof not rated for trustee  
R.S.O. 1960, c. 362

- (5) The said section 14 is amended by adding thereto the following subsection:

R.S.O. 1960, c. 330, s. 14 (1964, c. 95, s. 3), amended

- (13a) Where the Minister determines that two or more municipalities or any part or parts thereof shall be combined for the purposes of the election of trustees, such trustees shall be elected in accordance with subsection 11a of section 13, which subsection applies *mutatis mutandis*.

Election where Minister determines representation

- (6) Subsection 15 of the said section 14 is repealed and the following substituted therefor:

R.S.O. 1960, c. 330, s. 14 (1964, c. 95, s. 3), subs. 15, re-enacted

- (15) Every district school area is an enlarged administrative area.

Enlarged administrative area

5. Section 15 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is repealed.

R.S.O. 1960, c. 330, s. 15 (1964, c. 95, s. 3), repealed

6. Section 16 of *The Public Schools Act* is repealed and the following substituted therefor:

R.S.O. 1960, c. 330, s. 16, re-enacted

16. Every urban municipality is an urban school section unless it forms part of a county school area, district school area, township school area or union school section.

Urban municipality to be urban school section

7. Section 17 of *The Public Schools Act*, as amended by section 1 of *The Public Schools Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960, c. 330, s. 17, re-enacted

17. The council of a municipality or county that passes a by-law establishing or altering a school section shall send a copy of the by-law forthwith after the passing

Copies of by-laws establishing or altering sections to affected boards, etc.

thereof

thereof to each municipality, county and board affected by the by-law, to each inspector having jurisdiction in the area affected and to the Minister.

R.S.O. 1960,  
c. 330, s. 18  
(1961-62,  
c. 120, s. 2),  
re-enacted

**S.** Section 18 of *The Public Schools Act*, as re-enacted by section 2 of *The Public Schools Amendment Act, 1961-62* and amended by section 7 of *The Public Schools Amendment Act, 1965*, is repealed and the following substituted therefor:

Qualifica-  
tions of  
public  
school  
trustees

18.—(1) A person is qualified to be elected as a public school trustee who,

- (a) is a Canadian citizen;
- (b) is of the full age of twenty-one years;
- (c) is a resident in or within one mile of the school section; and
- (d) is a ratepayer in the school section.

Disquali-  
fications

(2) A person is not qualified to be elected as a public school trustee,

- (a) who is,
  - (i) a member of any other elementary or secondary school board, or
  - (ii) a member of the council of a municipality or county in which all or part of the school section is situate, or
  - (iii) an elected member of a local board of a municipality or county in which all or part of the school section is situate,

and whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held unless before the opening of the nomination meeting he has filed his resignation with the secretary of the other school board or with the clerk of the municipality or county, as the case may be;

- (b) who is the clerk or treasurer of a municipality or county in which all or part of the school section is situate;
- (c) who is the husband or wife of a trustee of the same board;

(d)

- (d) who is otherwise disqualified under this or any other Act; or
  - (e) if any portion of the taxes levied for school purposes for the preceding year or years on the property in respect of which the person qualifies is overdue and unpaid at the time of the opening of the nomination meeting, provided that this clause does not apply where the person is a tenant of the property and the taxes in respect thereof are, under the terms of the tenancy, payable by the owner of the property, and the rental therefor is not overdue and unpaid at the time of the opening of the nomination meeting.
- (3) A person is qualified to act as a public school trustee during the term for which he was elected so long as he continues to have the qualifications mentioned in subsection 1 and does not become disqualified under clauses *a* to *d* of subsection 2. Qualification to act as trustee
- (4) The following persons shall be deemed ratepayers under clause *d* of subsection 1: Persons deemed ratepayers
- (a) the husband or wife of a person assessed in a municipality as actual owner or tenant of land in the school section for an amount sufficient to entitle him or her to vote at municipal elections;
  - (b) the son or daughter of a person assessed as the owner of a farm in the school section if he or she is resident on the farm with the assessed owner; and
  - (c) the husband or wife of a person assessed in territory without municipal organization as the owner of a farm in the school section if he or she resides on the farm with the assessed owner.
- (5) For the purposes of subsection 4, "farm" means not fewer than twenty acres of land in the actual occupation of the owner thereof. Interpretation

**9.** Section 19 of *The Public Schools Act*, as amended by R.S.O. 1960, c. 330, s. 19, section 3 of *The Public Schools Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,  
c. 330, s. 20,  
re-enacted

**10.** Section 20 of *The Public Schools Act* is repealed and the following substituted therefor:

Board  
not to cease  
for want of  
trustees

20. A board does not cease to exist by reason of the want of trustees.

R.S.O. 1960,  
c. 330, s. 21,  
repealed

**11.** Section 21 of *The Public Schools Act*, as amended by section 3 of *The Public Schools Amendment Act, 1961-62*, section 5 of *The Public Schools Amendment Act, 1964* and section 8 of *The Public Schools Amendment Act, 1965*, is repealed.

R.S.O. 1960,  
c. 330, s. 22,  
repealed

**12.** Section 22 of *The Public Schools Act* is repealed.

R.S.O. 1960,  
c. 330, s. 23,  
repealed

**13.** Section 23 of *The Public Schools Act*, as amended by section 4 of *The Public Schools Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,  
c. 330, s. 24,  
repealed

**14.** Section 24 of *The Public Schools Act*, as amended by section 4 of *The Public Schools Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,  
c. 330,  
ss. 25, 26,  
repealed

**15.** Sections 25 and 26 of *The Public Schools Act* are repealed.

R.S.O. 1960,  
c. 330, s. 27,  
subs. 2  
(1961-62,  
c. 120, s. 5),  
repealed

**16.** Subsection 2 of section 27 of *The Public Schools Act*, as re-enacted by section 5 of *The Public Schools Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,  
c. 330, s. 33,  
re-enacted

**17.** Section 33 of *The Public Schools Act* is repealed and the following substituted therefor:

Voters in  
urban  
school  
section

33. Every person is entitled to vote at the election of trustees and on public school matters in an urban school section whose name is entered on the last revised voters' list as being entitled to vote at municipal elections in the municipality or the part thereof included in the urban school section except persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

R.S.O. 1960,  
c. 330, s. 35,  
subs. 1,  
repealed

**18.** Subsection 1 of section 35 of *The Public Schools Act* is repealed.

R.S.O. 1960,  
c. 330, s. 36,  
repealed

**19.** Section 36 of *The Public Schools Act* is repealed.

R.S.O. 1960,  
c. 330, s. 37,  
subs. 1,  
amended

**20.**—(1) Subsection 1 of section 37 of *The Public Schools Act* is amended by inserting after "a" in the fourth line "county, district or", so that the subsection shall read as follows:



- (1) Every complaint respecting the validity or mode of conducting the election of a trustee or the return made by a returning officer in an urban municipality or in a township for which a county, district or township school area board has been established shall be made to the judge of the county or district court within twenty days after the election, and he shall, within a reasonable time, in a summary manner hear and determine the complaint, and may cause the assessment rolls, collector's rolls, poll books and other records of the election to be brought before him, and may inquire into the facts by oral testimony or upon affidavit, and may cause such persons as he deems expedient to appear before him and give evidence.

Controlled  
elections,  
investigation of  
complaints  
by judge

- (2) Subsection 3 of the said section 37 is amended by inserting after "a" where it occurs the second time in the third line "county, district or", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 330, s. 37,  
subs. 3,  
amended

- (3) Section 142 of *The Municipal Act* applies *mutatis mutandis* to every election of trustees in an urban municipality or in a township for which a county, district or township school area board has been established and to any proceeding relating to such election.

Application  
of R.S.O.  
1960, c. 249,  
s. 142

- 21.** Section 38 of *The Public Schools Act* is amended by inserting after "a" where it occurs the second time in the second line "county, district or", so that the section shall read as follows:

R.S.O. 1960,  
c. 330, s. 38,  
amended

38. In the case of an election of trustees in an urban municipality or in a township for which a county, district or township school area board has been established, the provisions of *The Municipal Act* as to bribery and undue influence apply, and, in every case in which an election is complained of on those grounds, the inquiry by the judge in reference thereto shall be by oral testimony only.

Bribery  
and undue  
influence

R.S.O. 1960,  
c. 249

- 22.** *The Public Schools Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 330,  
amended

- 39.—(1) Where an improvement district that does not elect public school trustees is included in a county, district or township school area that includes one or more other municipalities or a part or parts thereof, it shall, subject to subsection 2, for the purposes of

Improvement  
district  
in county,  
district or  
township  
school area



the election of trustees and of voting on school matters and for determining representation on the board of the county, district or township school area, be attached to the municipality, all or part of which is included in the area, with which it has the greatest common boundary, and the secretary-treasurer of the improvement district shall, before an election for such trustees is to be held in any year, prepare and send to the clerk of such municipality a list, signed by him and attested by his declaration, of all persons appearing by the then last revised assessment roll to be entitled to vote on public school matters in the improvement district.

Idem

- (2) Where the improvement district has the same length of boundary with two or more municipalities, it shall, for the purposes of subsection 1, be attached to the municipality having the greatest assessment for public school purposes.

R.S.O. 1960,  
c. 330, s. 40,  
subss. 4, 5  
(1965,  
c. 109, s. 11,  
subs. 1),  
re-enacted

**23.**—(1) Subsections 4 and 5 of section 40 of *The Public Schools Act*, as re-enacted by subsection 1 of section 11 of *The Public Schools Amendment Act, 1965*, are repealed and the following substituted therefor:

Alteration  
of areas

- (4) The council of a county may, by a by-law passed before the 1st day of July in any year,

- (a) add all or part of a township school area to another township school area;
- (b) add all of an urban school section, except a city or separated town, or all or part of a union school section, except a city or separated town, to a township school area; or
- (c) add to a township school area part or all of one or more municipalities, except a city or separated town, in an adjoining county or counties if the council or councils of the adjoining county or counties, by resolution, consent thereto within ninety days after the passing of the by-law,

as recommended by the consultative committee.

Inclusion of  
city or  
separated  
town in  
township  
school area

- (4a) The council of a city or separated town in a county, by a by-law passed before the 1st day of July in any year, may attach the city or separated town to an adjoining township school area if, as recommended

by

by the consultative committee or committees of the county or counties in which all or part of the township school area is situate, the council or councils of such county or counties, by resolution, consent thereto within ninety days of the passing of the by-law.

- (5) Where the average daily attendance of pupils of the public schools in a school section under the jurisdiction of a board is less than 100 in any year, the inspector shall notify the clerk of the county in which the school section is situate and the secretary of the board affected, and the council of the county shall, by by-law passed before the 1st day of July following notice from the inspector, attach, as recommended by the consultative committee, the school section to an adjoining school section, except a city or separated town, in the county or in an adjoining county if the council of the other county has, by resolution, consented thereto or to an adjoining city or separated town if the council of the city or separated town has, by resolution, consented thereto.
- Where attendance less than 100 in any year

(2) Subsection 6a of the said section 40, as enacted by subsection 1 of section 11 of *The Public Schools Amendment Act, 1965*, is amended by striking out "if approval thereto has been given by a resolution passed before the 1st day of September of that year" in the fifteenth and sixteenth lines and inserting in lieu thereof "if consent thereto has been given by a resolution passed within ninety days of the passing of the by-law", so that the subsection shall read as follows:

R.S.O. 1960, c. 330, s. 40, subs. 6a (1965, c. 109, s. 11, subs. 1), amended

- (6a) In the territorial districts, the council of a township that forms all or part of a township school area may, by a by-law passed before the 1st day of July in any year,
- Alteration of areas in territorial districts

- (a) add all or part of a school section in territory without municipal organization to the township school area; or
- (b) add all of an urban school section, except a city, or all or any part of a union school section, except a city, to the township school area; or
- (c) detach any portion of the township school area and attach such portion to another township school area or to a union school section,

if consent thereto has been given by a resolution passed within ninety days of the passing of the by-law, in the case of a school section in territory without municipal organization, by the board of the school section and, in other cases, by the councils of the other municipalities concerned.

R.S.O. 1960,  
c. 330, s. 40a  
(1964,  
c. 95, s. 6),  
subss. 1, 3,  
re-enacted

**24.**—(1) Subsections 1 and 3 of section 40a of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964*, are repealed and the following substituted therefor:

Board of  
township school area  
for one  
township

- (1) There shall be a board of five public school trustees for every township school area that includes only the whole of one township or only the whole of one township and a part or parts of one or more other townships where in each part the assessment for public school purposes is less than 10 per cent of the total assessment for public school purposes in the township of which it is a part.

. . . . .

Election  
by ballot

- (3) The election of trustees for a township school area under subsection 1 shall be by ballot in accordance with section 34.

R.S.O. 1960,  
c. 330, s. 40a  
(1964,  
c. 95, s. 6),  
subss. 4,  
re-enacted

(2) Subsection 4 of the said section 40a, as amended by section 12 of *The Public Schools Amendment Act, 1965*, is repealed and the following substituted therefor:

Where part  
of another  
township  
attached  
for voting  
purposes

- (4) Where a township school area includes only the whole of one township and part or parts of one or more other townships as described in subsection 1, such part or parts shall, for the purposes of the election of trustees and of voting on school matters, be attached,

- (a) to the township the whole of which is included in the township school area; or
- (b) where the election is by wards, to the ward of the township the whole of which is included in the township school area with which it has the greatest common boundary,

and the clerk of the township in which such part is situate shall furnish annually to the clerk of the township to which such part is attached a certified copy of the list of voters qualified to vote on public school matters in that part of the township.

**25.**—(1) Subsection 1 of section 40*b* of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964* and amended by section 13 of *The Public Schools Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 40*b*  
(1964,  
c. 95, s. 6),  
subs. 1,  
amended

- (1) The board of a township school area, except a township school area referred to in subsection 1 of section 40*a*, shall consist of the number of elected trustees provided for boards of education under subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act*, which subsections apply *mutatis mutandis*, provided that,

Board of township school area including more than one municipality  
R.S.O. 1960,  
c. 362

- (*a*) where the number of trustees is fewer than five or more than nine, the Minister, on the request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be elected in each municipality and their terms of office;

- (*b*) the municipality or municipalities that have more than one-half of the assessment for public school purposes in the township school area, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of clause *a*; and

- (*c*) where a part of a township is included in a township school area and the assessment for public school purposes in such part is less than 10 per cent of the total assessment for public school purposes in the township, such part shall not be deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act*.

(2) Where trustees of the board of a township school area have been elected to hold office for the years 1966 and 1967, subsection 1 of section 40*b* of *The Public Schools Act*, as re-enacted by subsection 1, applies only to the election of trustees of the board to take office in the year 1968 and thereafter.

Application of subs. 1 to election of trustees holding office for 1966 and 1967

**26.**—(1) Subsection 1 of section 40*c* of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964*, is repealed.

R.S.O. 1960,  
c. 330, s. 40*c*  
(1964,  
c. 95, s. 6),  
subs. 1,  
repealed

(2) Subsection 3 of the said section 40*c* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 40*c*  
(1964,  
c. 95, s. 6),  
subs. 3,  
re-enacted

(3)



Enlarged  
adminis-  
trative area

- (3) Every township school area is an enlarged administrative area.

R.S.O. 1960,  
c. 330, s. 40c,  
subs. 10  
(1965,  
c. 109, s. 14,  
subs. 2),  
amended

- (3) Subsection 10 of the said section 40c, as enacted by subsection 2 of section 14 of *The Public Schools Amendment Act, 1965*, is amended by striking out "townships" in the ninth line and inserting in lieu thereof "municipalities" and by striking out "township" in the thirteenth line and inserting in lieu thereof "municipality", so that the subsection shall read as follows:

Parts not  
rated for  
trustee,  
attached to  
another  
municipality  
for voting  
purposes  
R.S.O. 1960,  
c. 362

- (10) Each part of a township that is included in a township school area but that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act* shall, for the purposes of the election of trustees and of voting on school matters, be attached to the township in which the township school area is formed or, where the township school area includes all of two or more municipalities, it shall be attached for such purposes, by resolution, by the public school consultative committee of the county in which the township school area or the part of the township school area having the greatest assessment is located, to a municipality all or part of which is in the township school area.

R.S.O. 1960,  
c. 330, s. 41,  
subs. 7,  
amended

- 27.** Subsection 7 of section 41 of *The Public Schools Act* is amended by inserting after "40" in the third line "40c", so that the subsection shall read as follows:

Application  
of ss. 21-23,  
40, 40c,  
56-61

- (7) For the purposes of township school areas formed under this section, and except as to matters provided for in this section, sections 21 to 23, 40, 40c and 56 to 61 apply *mutatis mutandis*.

R.S.O. 1960,  
c. 330, s. 42,  
amended

- 28.** Section 42 of *The Public Schools Act* is amended by adding thereto the following subsection:

Liability  
for debenture  
debt on  
alteration of  
boundaries  
of school  
section

- (8) Where there is a debenture debt for public school purposes in a school section when the boundaries of the school section are altered, and property taxable for public school purposes included therein is, by reason of such alteration, attached to another school section, the referee appointed to adjust the rights in respect of such alteration may require the board of the school section to which the property was attached to pay such portion of the interest and principal of the debenture debt as is determined by the referee.



**29.** Section 45, as amended by section 12 of *The Public Schools Amendment Act, 1961-62*, section 7 of *The Public Schools Amendment Act, 1964* and section 16 of *The Public Schools Amendment Act, 1965*, and section 46 of *The Public Schools Act* are repealed and the following substituted therefor:

R.S.O. 1960.  
c. 330, s. 45  
re-enacted;  
s. 46,  
repealed

- 45.—(1) A union school section may comprise an urban municipality and part or parts of one or more adjoining township municipalities and shall be deemed to be an urban school section. Union  
school  
sections
  
- (2) The council of a county may, by by-law passed before the 1st day of July in any year, form, alter or dissolve a union school section that includes an urban municipality, except a city or separated town, as recommended by the public school consultative committee. In counties
  
- (3) The council of a city or separated town in a county may, by by-law passed before the 1st day of July in any year, form, alter or dissolve a union school section that includes the city or separated town and part or parts of one or more adjoining townships if the council of the county in which such part or parts are situate, by resolution, consents thereto within ninety days after the passing of the by-law. Including  
city or  
separated  
town
  
- (4) Where a by-law is passed under subsection 2 or 3 forming, altering or dissolving a union school section that includes part or parts of one or more townships in a county adjoining the county, city or separated town that passed the by-law, the by-law shall not be effective unless the council of the adjoining county, by resolution, consents thereto within ninety days after the passing of the by-law. Parts of  
townships  
in adjoining  
counties
  
- (5) In any year, the council of a city in a territorial district or the council of a town or village in a territorial district that had in the preceding year a population of 1,000 or more and the average daily attendance of pupils residing in the town or village was 100 or more in the preceding year may, by by-law passed before the 1st day of July in any year, form, alter or dissolve a union school section, as recommended by the public school consultative committee, if the council of each township, part of which is included in the union school section, by resolution, consents thereto within ninety days after the passing of the by-law. In  
territorial  
districts

Effective  
date of  
by-laws

- (6) A by-law passed under subsection 2, 3 or 5 comes into force on the 1st day of January after it is approved by the Minister, except that, for the purposes of the election of trustees, it shall be effective on the day it is approved by the Minister.

Adjustment  
of claims

- (7) The rights and claims between school sections included in or affected by the formation, alteration or dissolution of a union school section shall be determined in the manner provided with respect to a township school area under subsections 1 to 6 of section 42, which provisions apply *mutatis mutandis*.

Apportionment of  
annual  
requisition

- (8) In the year in which a union school section is formed or altered and thereafter, the annual requisition of the board for school purposes shall be apportioned in accordance with section 55.

R.S.O. 1960,  
c. 330, s. 47,  
re-enacted

**30.** Section 47 of *The Public Schools Act* is repealed and the following substituted therefor:

Corporate  
name of  
board

47. The board of trustees of a union school section is a corporation by the name of "The Union Public School Board of (*insert name of urban municipality*)".

R.S.O. 1960,  
c. 330,  
ss. 48-52,  
repealed

**31.** Sections 48, 49, 50, 51 and 52 of *The Public Schools Act* are repealed.

R.S.O. 1960,  
c. 330, s. 53,  
re-enacted

**32.** Section 53 of *The Public Schools Act* is repealed and the following substituted therefor:

List of  
voters in  
part of  
township  
in union  
school  
section

- 53.—(1) The clerk of a township any part of which is included in a union school section shall furnish to the clerk of the urban municipality in the union school section a certified copy of so much of the last revised voters' list of the township as contains the names of persons qualified to vote on public school matters in the part of the township included in the union school section.

Where  
electors of  
part of  
township in  
union school  
section to  
vote

- (2) Where the urban municipality in a union school section is divided into wards, the part of an adjoining township that is included in the union school section shall, for the purposes of the election of trustees and of voting on school matters, be attached to the ward with which such part has the greatest common boundary unless the board of the union school section by resolution determines in which ward or wards the electors of such part of the township shall vote.

**33.** Subsection 2, as re-enacted by section 13 of *The Public Schools Amendment Act, 1961-62*, and subsection 4 of section 54 of *The Public Schools Act* are repealed.

R.S.O. 1960,  
c. 330, s. 54,  
subs. 2  
(1961-62,  
c. 120, s. 13),  
subs. 4,  
repealed

**34.**—(1) Subsection 1 of section 55 of *The Public Schools Act*, as re-enacted by subsection 1 of section 17 of *The Public Schools Amendment Act, 1965*, is amended by striking out “Except in the case of union school sections established under section 46” in the first and second lines and inserting in lieu thereof “In union school sections”.

R.S.O. 1960,  
c. 330, s. 55,  
subs. 1  
(1965,  
c. 109, s. 17,  
subs. 1),  
amended

(2) Subsection 3 of the said section 55, as re-enacted by subsection 1 of section 17 of *The Public Schools Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 55,  
subs. 3  
(1965,  
c. 109, s. 17,  
subs. 1),  
re-enacted

(3) The meeting of the treasurers shall be called by the treasurer of the urban municipality in the union school section.

Meeting of  
treasurers

(3) Subsection 6 of the said section 55, as re-enacted by subsection 2 of section 17 of *The Public Schools Amendment Act, 1965*, is amended by striking out “in whose inspectorate the school of the union school section is situate” in the second, third and fourth lines and inserting in lieu thereof “of the union school section”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 330, s. 55,  
subs. 6  
(1965,  
c. 109, s. 17,  
subs. 2),  
amended

(6) If the treasurers do not reach a decision on or before the 1st day of December, the inspector of the union school section and the treasurers shall be arbitrators and shall determine the matter and report to the secretary of the board and to the clerk of each municipality on or before the 31st day of December.

Arbitration  
where  
treasurers  
do not reach  
a decision

(4) Subsection 11 of the said section 55, as enacted by subsection 2 of section 5 of *The Public Schools Amendment Act, 1960-61*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 330, s. 55,  
subs. 11  
(1960-61,  
c. 82, s. 5,  
subs. 2),  
re-enacted

(11) Where a part of a union school section or a county, district or township school area in a municipality is also in a high school district, and another part of the union school section or county, district or township school area is in an adjoining municipality that does not form part of a high school district, and the high school board is furnishing transportation for its resident pupils, the public school board of the union school section or county, district or township school area may furnish transportation for secondary school pupils whose parents or guardians are public

Levy for  
transporta-  
tion costs  
for high  
school pupils  
resident in  
part of  
school  
section not  
in high  
school  
district



school supporters and who reside in the part of the union school section or county, district or township school area that is not in the high school district and may require the council of such adjoining municipality to levy the cost of the transportation for the preceding year, less the legislative grant paid thereon, on the taxable property of the public school supporters in that part of the union school section or county, district or township school area.

R.S.O. 1960,  
c. 330, s. 56,  
subs. 1,  
amended

**35.**—(1) Subsection 1 of section 56 of *The Public Schools Act* is amended by inserting after “a” in the third line “rural”, so that the subsection shall read as follows:

Formation  
of rural  
school  
sections in  
territory  
without  
municipal  
organization

(1) Subject to the approval of the Minister, the inspector may form any part of territory without municipal organization into a rural school section.

R.S.O. 1960,  
c. 330, s. 56,  
amended

(2) The said section 56 is amended by adding thereto the following subsection:

Persons not  
British  
subjects not  
entitled to  
vote

(5a) A person who is not a British subject is not entitled to vote at an election of trustees or upon any school question in a rural school section.

R.S.O. 1960,  
c. 330,  
amended

**36.** *The Public Schools Act* is amended by adding thereto the following sections:

Elections  
in new  
rural  
school  
sections

56a.—(1) At the first election in every new rural school section, the first trustee elected shall hold office for three years, the second for two years, and the third for one year, or in case of a poll being taken the trustee receiving the highest number of votes shall hold office for three years, the trustee receiving the number of votes next to the highest shall hold office for two years, and the other trustee shall hold office for one year.

Determina-  
tion where  
equal  
number  
of votes

(2) Where two or more candidates for the office of trustee receive an equal number of votes, the chairman of the meeting shall give a casting vote or provide for the drawing of lots to determine which of the candidates is elected.

When first  
year  
deemed to  
commence  
and end

(3) The first year in each case shall be deemed to commence at the date of such first election and extend until the date fixed by section 56b for holding the second annual meeting of ratepayers thereafter.

Annual  
meeting,  
in rural  
school  
sections,  
when held

56b.—(1) A meeting of the electors of every rural school section for the purpose among other things of electing

trustees

trustees shall be held annually on the last Wednesday in December, or, if that day is a holiday, on the next day following, commencing at the hour of 10 o'clock in the forenoon, or, if the board by resolution so directs, at the hour of 1 o'clock or 8 o'clock in the afternoon, at such place as the board by resolution determines, or, in the absence of such resolution, at the schoolhouse of the rural school section.

- (2) Where the annual meeting of electors cannot conveniently be held as provided for in subsection 1, the electors, at a regular meeting or at a special meeting called for that purpose, may pass a resolution naming another day for the holding of the annual meeting, and, upon receiving the Minister's approval, the annual meeting shall be held on that day in each year thereafter, unless with the Minister's approval some other day is similarly named; provided that no subsequent alteration of the day for holding the annual meeting may be made until at least three annual meetings have been held on the day previously named and approved. Idem
- (3) When any school meeting has not been held on the proper date, the inspector, or any two electors in the section, may call a meeting of the electors by giving six clear days notice, to be posted up in at least three of the most public places in the rural school section, and the meeting so called has all the powers and shall perform all the duties of the meeting in the place of which it is called. Meeting to be called in default of first or annual meeting
- (4) The electors present at a school meeting shall elect one of their number as chairman and shall appoint a secretary who shall record the minutes of the meeting and perform such other duties as are required of him by this Act. Organization of meeting
- (5) The chairman shall submit all motions to the meeting in the manner desired by the majority and is entitled to vote on any motion, and in case of a tie the motion shall be declared to be negatived, and he shall decide all questions of order, subject to an appeal to the meeting. Chairman, duties of
- (6) The business of every school meeting may be conducted in the following order: Order of business
  1. Receiving and disposing of the annual report of the trustees.



2. Receiving a report from the trustees on the insurance on the buildings and equipment.
3. Receiving and disposing of the last annual report of the municipal auditor.
4. Where the ratepayers have provided for a local audit, receiving and disposing of the report of the local auditors.
5. If deemed necessary, providing for a local audit and the election of a local auditor for the ensuing year.
6. Miscellaneous business.
7. The election of trustees.

Special  
meeting,  
when to  
be held

- (7) Where a special meeting of the electors of a rural school section is called, the meeting shall be held at the hour of 10 o'clock in the forenoon, or, if the board by resolution so directs, at the hour of 1 o'clock in the afternoon or 8 o'clock in the afternoon, at such place as the board shall by resolution determine, or, in the absence of such resolution, at the schoolhouse of the rural school section.

Vacancies  
on board

- (8) Where a vacancy occurs from any cause in the office of trustee, the remaining trustees shall forthwith hold a new election to fill the vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected.

Where one  
trustee or  
no trustees

- (9) If at any time there are no trustees or only one trustee, any two electors of the rural school section, or the inspector, by giving six days notice posted up in at least three public places in the rural school section, may call a meeting of the electors who shall elect three or two trustees, as the case may be, in the manner provided in this section.

When tie  
vote

- (10) When, at a regular annual meeting or at a special meeting called to fill a vacancy or vacancies, two or more candidates for the office of trustee receive an equal number of votes, the chairman of the meeting shall give a casting vote or provide for the drawing of lots to determine which of the candidates is elected.

- 56c.—(1) A poll may be demanded by any two electors at a meeting for the election of trustees or for the settlement of any school question in a rural school section, and the poll shall be granted by the chairman forthwith if demanded within ten minutes after the result of a vote has been declared by the chairman. Granting poll in rural school section
- (2) Where a poll is granted, the secretary shall enter in a poll book the name and residence of each elector offering to vote within the time prescribed and shall furnish him, at the time of voting, with a ballot paper on the back of which he has placed his initials, and shall provide a pencil for the marking of the ballot paper. Entry in poll book
- (3) Ballot papers shall be pieces of plain white paper of uniform size. Form of ballot paper
- (4) A voter shall mark his ballot, Marking of ballot paper
- (a) in the election of a trustee, by marking the name of the trustee thereon; and
- (b) on a question, by marking the word “for” or “against” thereon.
- (5) Each voter shall mark his ballot paper in a compartment or other place provided for the purpose that is so arranged that the manner in which he marks his ballot is not visible to other persons and shall thereupon fold it so that the initials of the secretary can be seen without opening it and hand it to the secretary who shall, without unfolding it, ascertain that his initials appear upon it and shall then in full view of all present, including the voter, place the ballot in a ballot box or other suitable container that has been placed and is kept upon a table for the purpose. Manner of voting
- (6) Every candidate may appoint a person to act as his scrutineer during the election. Appointment of scrutineer
- (7) If objection is made to the right of any person to vote, the chairman, if the name of the person appears on the assessment roll, shall require the person to make the following declaration: Right to vote objected to
1. I, A.B., declare and affirm that I am an assessed ratepayer in rural school section.....;   
or that I am the wife or husband of an assessed ratepayer in rural school section.....;

2. That I am of the full age of twenty-one years;
3. That I am a British subject;
4. That I am a supporter of the public school in rural school section.....; *or* that I am the wife *or* husband of a supporter of the public school in rural school section.....;
5. That I have a right to vote at this election (*or* on the question submitted to this meeting),

and after making such declaration the person making it is entitled to vote.

When poll  
shall close

- (8) The poll shall not close before noon, but may close at any time thereafter when a full hour elapses without any vote being polled, and shall not be kept open later than 4 o'clock in the afternoon.

Polling at  
evening  
meeting

- (9) When the meeting is held in the evening, the electors may decide, by resolution, that the poll shall be conducted forthwith or at 10 o'clock on the following morning, and, if conducted in the evening, the poll shall close after ten minutes have elapsed without any vote being recorded.

Counting  
votes, deter-  
mination in  
case of tie

- (10) When a poll is closed, the secretary shall count the votes and,
  - (a) in the case of a tie vote with respect to the election of two or more candidates, the chairman shall give a casting vote or provide for drawing lots to determine which of the candidates is elected; and
  - (b) in the case of a tie vote on a question, the vote shall be deemed to be negative.

Declaration  
of result

- (11) In the case of an election of trustees, the chairman shall declare the candidate elected for whom the highest number of votes has been polled, and in case of a vote on a school question he shall declare the question adopted or negatived as the majority of votes is in favour of or against the question.

Copy of  
minutes and  
of poll  
book to  
inspector

- (12) A correct copy of the minutes of every school meeting and a copy of the poll book, where a poll has been taken, all of which shall be signed by the chairman and secretary, shall be forthwith transmitted by the chairman to the inspector.

- (13) A statement of the result of the vote shall be certified <sup>Statement of result of vote</sup> by the chairman and secretary and, in the case of an election of trustees, the statement shall be signed by any scrutineers present at the counting of the ballots, and a copy thereof shall be delivered or mailed to each candidate.
- (14) Every person upon receiving notice that he has been <sup>Acceptance of office of trustee</sup> elected trustee shall be deemed to have accepted the office unless a notice to the contrary is delivered by him to the chairman within twenty days after the election.
- (15) Where complaint is made to the inspector by an <sup>Complaints as to elections</sup> elector that the proceedings for the election of a trustee or that the proceedings or any part thereof of a school meeting have not been in conformity with this Act, the inspector shall investigate the complaint and confirm the election or proceedings if found to be in substantial accordance with this Act, or set the same aside if found not to be in substantial accordance therewith, and in the latter event he shall appoint a time and place for a new election or for the reconsideration of the school question, but no complaint shall be entertained unless made in writing to the inspector within twenty days after the holding of the election or meeting, and it is not incumbent upon the inspector to set aside such election or any proceeding for want of formal compliance with this Act if he is satisfied that the result of such election or proceeding has not been affected thereby.
- 56d.—(1) It is the duty of the secretary of a rural school <sup>Duties of secretary of rural school section</sup> section,

- (a) to call a special meeting of the board at the <sup>calling special meetings</sup> request in writing of two trustees or of five electors, specifying the objects for which the meeting is to be held, and to state the objects of the meeting in the notice calling the meeting;
- (b) to give notice in writing, before the 15th day <sup>names and addresses of trustees and teachers to be given to inspector</sup> of January in each year, to the inspector of the names and post office addresses of the trustees and of the teachers employed, and to give reasonable notice in writing from time to time of any changes;

(c)



notice of  
annual  
meeting  
and meet-  
ings to fill  
vacancies in  
board, etc.

- (c) to give the notice required by this Act of each annual meeting of the ratepayers of the rural school section, to call a special meeting of the ratepayers when directed by the board, or, on the request in writing of five electors, for filling any vacancy in the board, for the selection of a new school site, or the appointment of a school auditor, or for any other lawful school purpose, and to cause notices of the time and place and of the objects of the meeting to be posted up in three or more public places in the rural school section at least six clear days before the time of holding the meeting; and

report at  
annual  
meeting

- (d) to cause to be prepared for the annual meeting of the ratepayers a report for the year then ending, to be signed by the trustees and by either or both of the auditors of the rural school section, containing a summary of the proceedings of the board during the year, a detailed account of all school moneys received and expended during the year and any further information that may be required by the Minister or by the regulations.

Compensa-  
tion of  
secretary  
who is  
also trustee

- (2) Where the secretary of a rural school section is a trustee, the board may pay only such compensation for his services as is approved by the electors at an annual or special meeting of electors.

Local  
auditors of  
rural schools  
R.S.O. 1960,  
c. 249

- 56e.—(1) In addition to the audit required under *The Municipal Act*, the ratepayers of a rural school section at an annual or special meeting held before the 15th day of December may provide for a local audit of the school accounts, and, when a local audit is provided for, there shall be two auditors, one of whom shall be elected by the ratepayers and the other appointed by the school board before the 15th day of December.

Filling  
vacancies

- (2) Where an auditor refuses or is unable to act or dies, another auditor may be elected or appointed in his place.

Appoint-  
ment by  
inspector

- (3) If from any cause at any time after the 1st day of December there are not two auditors willing, able and authorized to act, the inspector on the written request of any two ratepayers shall appoint one or both auditors as the case may require.



- (4) The board or the secretary and treasurer shall lay all accounts before the school auditors or one of them, together with the agreements, vouchers, contracts and books in their possession, and the board and the secretary and treasurer and each of them shall afford to the auditors all the information in his or their power as to the receipts and expenditures that the auditors or either of them may require. Trustees and secretary-treasurer to lay accounts, etc., before auditors
- (5) The auditors, or one of them, shall on or immediately after the 1st day of December in each year appoint a time, before the day of the next ensuing annual school meeting, for examining the accounts of the rural school section. Time of audit
- (6) It is the duty of the auditors to examine into and decide upon the accuracy of the accounts of the rural school section, and whether the board has duly expended for school purposes and accounted for the moneys received by it, and to submit the accounts with a full report thereon at the next annual school meeting. Duties of auditors
- (7) Any difference of opinion between the auditors on any matter in the accounts shall be decided by the inspector. Differences between auditors
- (8) If both auditors object to the lawfulness of any expenditure, they shall report the matter to the annual meeting and shall submit such matter to the Minister, whose decision is final. Report of objection
- (9) The auditors or either of them may require the attendance of all persons interested in the accounts, and of their witnesses, with such books, papers and documents as the auditor or auditors may direct, and may administer oaths to such persons and witnesses. Powers of auditors
- (10) An auditor who has entered upon an audit may complete the audit although he has not done so within the time prescribed by this Act. May complete audit after time prescribed

**37.** Section 57 of *The Public Schools Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 330, s. 57, amended

- (4) Notwithstanding subsections 2 and 3, where a district assessor is the assessor for a rural school section and a court of revision has been constituted for the rural school section by the Minister of Municipal Affairs, the appeals from assessments under section 58 shall be heard by such court of revision. A Court of revision where district assessor

R.S.O. 1960,  
c. 330, s. 58,  
subs. 1,  
amended

**38.**—(1) Subsection 1 of section 58 of *The Public Schools Act* is amended by adding at the commencement thereof “Subject to section 104 of *The Assessment Act*”, so that the subsection shall read as follows:

Annual  
assessment  
roll  
R.S.O. 1960,  
c. 23

(1) Subject to section 104 of *The Assessment Act*, the board shall, annually, at their first meeting, and not later than the 1st day of March in each year, appoint an assessor, who may be one of themselves, to prepare an assessment roll for the school section, and the secretary shall submit a certified copy of the roll to the proper court for revision.

R.S.O. 1960,  
c. 330, s. 58,  
subs. 3,  
re-enacted

(2) Subsection 3 of the said section 58 is repealed and the following substituted therefor:

Notice of  
assessment

(3) The assessor shall notify every person assessed by leaving a notice containing the particulars of his assessment at his residence or place of business or by mailing it addressed to him at his residence or place of business, or, if a non-resident, by mailing the notice to his last known address, or, if his address is unknown, by posting up the notice in the post office nearest to the land assessed.

R.S.O. 1960,  
c. 330, s. 58,  
subs. 8,  
amended

(3) Subsection 8 of the said section 58 is amended by striking out “sent by registered mail” in the third line and inserting in lieu thereof “mailed”, so that the subsection shall read as follows:

Posting  
up notice

(8) The notice shall be posted up for at least three weeks before the time appointed for hearing the appeals, and shall be mailed to the last known addresses of non-resident ratepayers.

R.S.O. 1960,  
c. 330, s. 58,  
subs. 10, 11,  
re-enacted

(4) Subsections 10 and 11 of the said section 58 are repealed and the following substituted therefor:

Notice of  
appeal

(10) The notice of appeal shall be given to the secretary within fourteen days after the day upon which the roll is required by law to be returned, or within fourteen days after the return of the roll, in case the roll is not returned within the time fixed for that purpose.

Court clerk

(11) The court may appoint a competent person to be its clerk for each school section or for all the school sections, but, where a district assessor is the assessor for a rural school section, the secretary of the school section or some person designated by him shall be the clerk of the court, and the clerk shall keep in a

book a record of the proceedings and decisions of the court, which shall be certified by the chairman of the court.

**39.**—(1) Subsection 1 of section 63 of *The Public Schools Act* is amended by inserting after “a” in the second line “county, district or”, so that the subsection shall read as follows: R.S.O. 1960,  
c. 330, s. 63,  
subs. 1,  
amended

(1) Subject to the approval of the Ontario Municipal Board, the sums required by an urban board or a county, district or township school area board for permanent improvements may be raised on the application of the board by the issue of municipal debentures as provided herein. Debentures  
for  
permanent  
improvements

(2) Subsection 12 of the said section 63 is amended by inserting after “municipality” in the first line “or county”, so that the subsection shall read as follows: R.S.O. 1960,  
c. 330, s. 63,  
subs. 12,  
amended

(12) Where a municipality or county has raised money for the purposes of a board by the issue and sale of debentures, or by the hypothecation of debentures or temporary financing pending the sale of debentures, it shall pay over such money to the board from time to time as the board may require. Payments  
to boards

(3) Subsection 13 of the said section 63 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 330, s. 63,  
subs. 13,  
re-enacted

(13) The corporation of each other municipality, all or part of which forms part of the school section, shall, on the requisition of the clerk of the municipality that issued the debentures, pay its share of the loan, including interest as it becomes due, according to its liability as determined under section 55. Municipality  
forming  
part of  
school  
section to  
pay its  
proportion

**40.** *The Public Schools Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 330,  
amended

**63a.**—(1) Where in a county school area an application made under subsection 2 of section 63 has been approved under subsection 4 thereof or a majority of the votes is in favour of the application under subsection 7 thereof, and the councils of a majority of the municipalities which or part of which are included in the area by resolution request the council of the county in which the school is or is to be situated to raise the entire sum required by the issue of its debentures, such county council may without the assent Request for  
county to  
issue  
debentures

R.S.O. 1960,  
cc. 249, 362

of the electors issue the debentures in the manner provided by *The Municipal Act*, and the provisions of section 35 of *The Secondary Schools and Boards of Education Act* apply *mutatis mutandis*, except that, if such debentures are issued by the county, each municipality shall pay its proportion to the county.

Considera-  
tion by  
county  
council

- (2) The county council shall consider the request at its next meeting following the receipt thereof, and, if the county council refuses the request or neglects to make a decision at such meeting, the provisions of section 63 apply.

Where  
county must  
comply

- (3) Notwithstanding subsections 1 and 2, where a request is made under subsection 1 and the county school area comprises more than one-half of the equalized assessment, or more than one-half of the municipalities, of the county in which the school is or is to be situated, the council of the county shall issue the debentures.

R.S.O. 1960,  
c. 330, s. 65,  
repealed

**41.** Section 65 of *The Public Schools Act*, as amended by section 16 of *The Public Schools Amendment Act, 1961-62* and section 10 of *The Public Schools Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,  
c. 330, s. 69,  
subss. 1, 2,  
re-enacted

**42.** Subsections 1 and 2 of section 69 of *The Public Schools Act* are repealed and the following substituted therefor:

Levy of  
sums  
required  
by boards

- (1) The council of each municipality shall levy and collect upon the taxable property of the public school supporters of each school section or part of a school section within the municipality, in the manner provided in this Act and in *The Municipal Act* and *The Assessment Act*, such sums as may be required by the board or boards of such school section or sections for school purposes, and shall pay them to the treasurer or treasurers of the board or boards from time to time as may be required by the board or boards.

R.S.O. 1960,  
cc. 249, 23

Sums  
payable  
to board

- (2) The sums payable by a municipality to the board of a school section are payable out of moneys raised upon the taxable property of the public school supporters in the school section or the part thereof lying within the municipality.

R.S.O. 1960,  
c. 330, s. 70,  
repealed

**43.** Section 70 of *The Public Schools Act* is repealed.



**44.** Subsection 3 of section 74 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 74, subs. 3, amended as amended by subsection 2 of section 9 of *The Public Schools Amendment Act, 1964*, is further amended by striking out "that is not a township school area" in the first and second lines, so that the subsection, exclusive of the clauses, shall read as follows:

- (3) A public school board of a rural school section shall, Duties of rural board

. . . . .

**45.** Section 76, as amended by section 18 of *The Public Schools Amendment Act, 1961-62*, section 13 of *The Public Schools Amendment Act, 1962-63* and section 11 of *The Public Schools Amendment Act, 1964*, and sections 77 and 78 of *The Public Schools Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 330, ss. 76-78, re-enacted

76.—(1) Where a by-law providing for the formation, Board of arbitration alteration or dissolution of a school section requires the consent of a board or of the council of a municipality or county to be effective and the board or council neglects or refuses to pass a resolution consenting to such by-law, the council of the municipality or county that passed the by-law may, within twenty days after the time for passing such resolution has expired, submit the matter to a board of arbitration consisting of the judge of the county that passed the by-law or the judge of the county or territorial district in which the municipality that passed the by-law is situate, or some person named by him, and one representative appointed by the council of the municipality or county that passed the by-law and one appointed by each board or council that is required to consent to the by-law, and the board of arbitration shall determine whether or not such by-law should be approved, and, if the decision of a majority of the arbitrators approves the by-law, the resolution or resolutions that are required to be passed for the by-law to be effective shall be deemed to have been passed.

- (2) The council of the municipality or county may submit the matter to arbitration by giving notice Notice of arbitration thereof to the inspector, to the judge and to each board, municipality and county that is required to consent to the by-law in question.

- (3) Upon receipt of the notice submitting a matter to arbitration, Appointment of arbitrators



(a) the judge shall notify the inspector of his willingness to act as arbitrator or he shall appoint some person to act in his stead and shall notify the inspector of such appointment; and

(b) the board or the council of the municipality or county shall, at its first meeting after receiving the notice, appoint an arbitrator and forthwith notify the inspector of such appointment.

First  
meeting,  
chairman

(4) When the board of arbitration is complete, the judge or his nominee shall convene the first meeting of the board and he shall be chairman thereof.

Who may be  
arbitrator

(5) No person shall be appointed as an arbitrator who is a member of the council that passed the by-law or who is a member of a board or council that is required to consent to the by-law.

Approval of  
by-laws  
forming or  
altering  
school areas

77. A by-law to form or alter a county, district or township school area shall not be approved by the Minister within the period from the 15th day of October to and including the 31st day of December of the year in which the by-law is passed.

Proceedings  
not invalid  
unless sub-  
stantial  
injustice

78.—(1) No proceeding with respect to the formation, alteration or dissolution of a school section and no arbitration or award with respect to any matter that by this Act may be determined by arbitration is invalid or shall be set aside because of failure to comply with the provisions of this Act applicable to the proceeding, arbitration or award, unless, in the opinion of the tribunal before which the proceeding, arbitration or award is called in question, the proceeding, arbitration or award, if allowed to stand, would cause substantial injustice to be done to any person affected thereby.

Questions  
to be deter-  
mined by  
judge of  
county or  
district  
court

(2) If any question arises touching the validity of any proceeding with respect to the formation, alteration or dissolution of a school section or touching any by-law, arbitration or award with respect to any of such matters, the question shall be raised, heard and determined upon a summary application to the judge of the county or district court of the county or district in which the school section or some part thereof is situate.

- (3) Where the question touches an arbitration or award to which the judge has been a party, such application shall be heard and determined by the judge of the county or district court of the adjoining county or district that has the greatest population according to the last federal census. Appeals where judge is arbitrator

**46.** Section 79 of *The Public Schools Act* is repealed. R.S.O. 1960, c. 330, s. 79, repealed

**47.** Section 81 of *The Public Schools Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 330, s. 81, re-enacted

81. A by-law of a municipality or county for forming, altering or dissolving a school section and an award made by arbitrators in relation thereto are valid and binding, notwithstanding any defect in substance or form or in the manner or time of passing or making, unless an application to quash the by-law or to set aside the award has been made within one month after the clerk of the municipality or county has received notice from the Minister that he has approved the by-law. By-laws and awards valid unless application to quash made

**48.** Section 83 of *The Public Schools Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 330, s. 83, re-enacted

83. The clerk of every municipality shall furnish to each board and inspector having jurisdiction in the municipality or any part thereof such information as may be requested with respect to population and the assessment and collector's roll, and the cost of preparing a statement including such information shall be paid by the board that requested it. Clerk to give information to board and inspector

**49.—**(1) This Act, except sections 3, 4, 19, 23 and 30, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 3, 4 and 23 shall be deemed to have come into force on the 1st day of January, 1966. Idem

(3) Sections 19 and 30 come into force on the 1st day of January, 1967. Idem

**50.** This Act may be cited as *The Public Schools Amendment Act, 1966*. Short title



## CHAPTER 130

**An Act to amend  
The Public Service Act, 1961-62**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 10 of *The Public Service Act, 1961-62* is amended by striking out “upon attaining” in the first line and inserting in lieu thereof “at the end of the month in which he attains” and by inserting after “until” in the sixth line “the end of the month in which”, so that the subsection shall read as follows:

- (1) Every civil servant shall retire at the end of the month in which he attains the age of sixty-five years, but, where in the opinion of the Commission special circumstances exist and where his deputy minister so requests in writing, he may be re-appointed by the Lieutenant Governor in Council for a period not exceeding one year at a time until the end of the month in which he attains the age of seventy years.

(2) Subsection 2 of the said section 10 is amended by striking out “upon attaining” in the fourth and fifth lines and inserting in lieu thereof “at the end of the month in which he attains”, so that the subsection shall read as follows:

- (2) Notwithstanding subsection 1, every person in the public service on the 1st day of March, 1948, who was more than fifty years of age on that day and who has been in the public service continuously since that day shall retire at the end of the month in which he attains the age of seventy years.

**2.**—(1) Subsection 1 of section 19a of *The Public Service Act, 1961-62*, as enacted by section 6 of *The Public Service Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Joint  
Council,  
composition

(1) There shall be a Joint Council composed of,

- (a) three Crown employees appointed by the Lieutenant Governor in Council, to be known as the "official side"; and
- (b) three members or two members and one employee or one member and two employees of the Civil Service Association of Ontario appointed by the Lieutenant Governor in Council on the recommendation of the Association, to be known as the "staff side".

1961-62,  
c. 121, s. 19<sup>a</sup>  
(1962-63,  
c. 118, s. 6),  
subs. 4,  
re-enacted

(2) Subsection 4 of the said section 19<sup>a</sup> is repealed and the following substituted therefor:

Duties of  
chairman

(4) The chairman of the Joint Council shall,

- (a) convene a meeting of the Joint Council at the request of the official side or of the staff side, or of both of them;
- (b) put on the agenda in accordance with the Rules of the Joint Council at the request of the official side or of the staff side, or of both of them, any matter concerning the terms of employment of Crown employees, including working conditions, remuneration, leaves and hours of work, that is not excluded by the regulations; and

1961-62,  
c. 121, s. 19<sup>a</sup>  
(1962-63,  
c. 118, s. 6),  
subss. 5, 6,  
repealed

(c) preside at the meeting.

(3) Subsections 5 and 6 of the said section 19<sup>a</sup> are repealed.

1961-62,  
c. 121, s. 19<sup>a</sup>  
(1962-63,  
c. 118, s. 6),  
subs. 8,  
re-enacted

(4) Subsection 8 of the said section 19<sup>a</sup> is repealed and the following substituted therefor:

Agreements

(8) Every agreement reached by the official side and the staff side of the Joint Council shall be put in writing and three copies thereof signed by the senior member of each side, and one copy thereof shall be delivered to the chairman of the Joint Council who shall forthwith transmit it to the appropriate authority to be implemented.

1961-62,  
c. 121, s. 19<sup>b</sup>  
(1962-63,  
c. 118, s. 6),  
subs. 1,  
re-enacted

**3.**—(1) Subsection 1 of section 19<sup>b</sup> of *The Public Service Act, 1961-62*, as enacted by section 6 of *The Public Service Amendment Act, 1962-63*, is repealed and the following substituted therefor:



- (1) If the two sides of the Joint Council are unable to reach agreement upon any matter, the chairman shall refer the matter to the Minister of Labour who may, within fifteen days thereafter, appoint a mediator to confer with representatives of the two sides and endeavour to bring about agreement upon the matter. Reference to mediator

- (1a) If the Minister of Labour does not appoint a mediator within the fifteen days mentioned in subsection 1 or if the mediator is unable to bring about agreement, the chairman of the Joint Council shall refer the matter to the Civil Service Arbitration Board who shall, after a hearing, decide the matter. Reference to Civil Service Arbitration Board

(2) Subsection 3 of the said section 19b is amended by striking out "appropriate authority to be implemented" in the third line and inserting in lieu thereof "chairman of the Joint Council who shall forthwith transmit it to the appropriate authority to be implemented", so that the subsection shall read as follows: 1961-62, c. 121, s. 19b (1962-63, c. 118, s. 6), subs. 3, amended

- (3) Every decision of the Civil Service Arbitration Board shall be signed by the chairman, and he shall transmit it to the chairman of the Joint Council who shall forthwith transmit it to the appropriate authority to be implemented. Decisions

4. This Act comes into force on the day it receives Royal Assent. Commencement

5. This Act may be cited as *The Public Service Amendment Act, 1966*. Short title



## CHAPTER 131

# An Act to amend The Public Service Superannuation Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of section 1 of *The Public Service Superannuation Act*, as re-enacted by subsection 1 of section 1 of *The Public Service Superannuation Amendment Act, 1965*, is amended by adding at the end thereof "but does not include a person who has not attained the age of eighteen years", so that the clause shall read as follows:

(*d*) "contributor" in Part I means a civil servant or a person in a class of persons to whom that Part is made applicable, and includes the Provincial Auditor, the Assistant Provincial Auditor and the members of the staff of the Provincial Auditor, but does not include a person who has not attained the age of eighteen years.

**2.** *The Public Service Superannuation Act* is amended by adding thereto the following section:

**4a.** Except where otherwise specifically provided for by this Act, interest payable under this Act shall be at the rate of 3 per cent per annum compounded half-yearly.

**3.** Section 5 of *The Public Service Superannuation Act*, as re-enacted by section 2 of *The Public Service Superannuation Amendment Act, 1961-62*, is repealed and the following substituted therefor:

**5.—(1)** There shall be deducted from the salary of every contributor an amount equal to,

(a)

1964-65,  
c. 51 (Can.)

- (a) 6 per cent of his salary up to the amount of his basic exemption within the meaning of the *Canada Pension Plan*;
- (b) 4.2 per cent of his salary on the amount in excess of his basic exemption up to the amount of his year's maximum pensionable earnings within the meaning of the *Canada Pension Plan*; and
- (c) 6 per cent of the amount of his salary in excess of the year's maximum pensionable earnings,

and the amounts so deducted shall be placed to his credit in the Fund.

Cessation  
of con-  
tributions

- (2) Every contributor shall cease to contribute to the Fund on the day on which he ceases to be employed in the public service or at the end of the month in which he attains the age of seventy years or, in the case of a magistrate who was appointed before the 1st day of July, 1941, at the end of the month in which he attains the age of seventy-five years, whichever occurs first, but any such person may at any time after attaining the age of sixty-five years give notice in writing to the Board that he wishes to discontinue his contributions, and in every such case his contributions shall cease at the end of the month following the month in which the notice is given.

Retained  
employees'  
option

4.—(1) Any former contributor who has attained the age of sixty-five years and who is employed in the public service on the day on which this section comes into force may, if he gives notice in writing to the Public Service Superannuation Board within six months after such day of his decision so to do, contribute to the Public Service Superannuation Fund in respect of the period of his employment after he attained the age of sixty-five years until retirement or until the end of the month in which he attains the age of seventy years, whichever occurs first, and in every such case he shall pay an amount equal to the amount he would have paid if he had contributed to the Fund from the time he attained the age of sixty-five years, together with interest upon such amount.

Idem

(2) Any person who is entitled under subsection 1 to establish credit in the Fund in respect of his continuous non-contributory service may establish such credit in respect of a part only of such service, but no interval of time shall intervene between such part and the date on which he attained the age of sixty-five years.

5.—(1) Clause *c* of subsection 1 of section 6 of *The Public Service Superannuation Act*, as re-enacted by section 1 of *The Public Service Superannuation Amendment Act, 1964*, is amended by striking out “the Order in Council that appointed him to the regular staff of” in the second and third lines and inserting in lieu thereof “his appointment to”, so that the clause shall read as follows:

- (c) who gives notice in writing to the Board within one year from the date of his appointment to the classified service under *The Public Service Act, 1961-62* of his intention to establish credit in the Fund in respect of his past non-contributory service with the Crown; and

(2) Clause *d* of subsection 1 of the said section 6 is amended by striking out “at the rate of 3 per cent per annum” in the sixth line, so that the clause shall read as follows:

- (d) who agrees to pay on terms satisfactory to the Board and pays an amount equal to the amount that he would have paid if he had contributed to the Fund from the time he commenced his continuous non-contributory service with the Crown, together with interest upon such amount.

6. Section 6a of *The Public Service Superannuation Act*, as enacted by section 2 of *The Public Service Superannuation Amendment Act, 1964*, is repealed.

7.—(1) Clause *b* of subsection 1 of section 9 of *The Public Service Superannuation Act* is amended by striking out “fifteen” in the second line and inserting in lieu thereof “ten”, so that the clause shall read as follows:

- (b) has contributed to the Fund in respect of a period of ten or more years.

(2) Subsection 2 of the said section 9 is repealed.

8.—(1) Clause *a* of subsection 1 of section 10 of *The Public Service Superannuation Act* is repealed.

(2) Subsection 4 of the said section 10 is amended by striking out “at 3 per cent per annum” in the third and fourth lines, so that the subsection shall read as follows:

- (4) Where a person does not accept the offer and the total amount of the allowance paid to him is less than the total amount of his contributions with interest, the amount of the difference shall be paid to him in monthly instalments or otherwise as he directs.



R.S.O. 1960,  
c. 332, s. 11,  
re-enacted

9. Section 11 of *The Public Service Superannuation Act*, as amended by section 4 of *The Public Service Superannuation Amendment Act, 1960-61* and section 4 of *The Public Service Superannuation Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Deferred  
annuities

11.—(1) Every contributor who has contributed continuously to the Fund in respect of ten or more years and who is not entitled to an allowance under this Act is entitled to a deferred annuity,

(a) commencing when he attains the age of sixty-five years if he ceases to be employed before attaining that age and if he is not entitled to or has not elected to take an immediate annuity provided in subsection 3; or

(b) commencing when he attains the age of sixty years if he ceases to be employed before attaining that age and if he has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966.

Idem

(2) Every former contributor who has contributions locked in under subsection 2 of section 17 and who is not entitled to a payment under subsection 3 of section 17 is entitled to a deferred annuity commencing when he attains the age of sixty-five years.

Immediate  
annuities

(3) Every contributor who has contributed continuously to the Fund in respect of ten or more years and who is not entitled to an allowance under this Act is entitled to an immediate annuity,

(a) commencing when he ceases to be employed in the public service after he has attained the age of sixty years; or

(b) with the approval of the Lieutenant Governor in Council, commencing when he ceases to be employed in the public service after he has attained the age of fifty-five years and before he has attained the age of sixty years.

Idem

(4) Every former contributor who has a deferred annuity and who has attained the age of fifty-five years is, with the approval of the Lieutenant Governor in Council, entitled to an immediate annuity.

## (5) Notwithstanding subsection 4,

Idem

- (a) every former contributor who qualified for a deferred annuity before the 1st day of January, 1966, and who has attained the age of fifty years; or
- (b) every person who has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966, and who ceases to be employed on or after that date and after he is fifty years of age and before he is sixty years of age or who has a deferred annuity and has attained the age of fifty years,

is, with the approval of the Lieutenant Governor in Council, entitled to an immediate annuity computed under this Act as it was on the 31st day of December, 1965.

**10.** Section 12 of *The Public Service Superannuation Act*, R.S.O. 1960, c. 332, s. 12, as amended by section 5 of *The Public Service Superannuation Amendment Act, 1960-61* and section 5 of *The Public Service Superannuation Amendment Act, 1961-62*, is repealed and the following substituted therefor:

- 12.—(1) The amount of every annual superannuation allowance and annual disability allowance and of every annuity under this Act shall be 2 per cent of the average annual salary of the contributor during the sixty consecutive months of his contributory service during which his salary was highest, multiplied by the total number of full years and any part of a year of contributory service, but not more than thirty-five years of service shall be reckoned. Computation of allowances and annuities
- (2) The amount computed under subsection 1 shall be reduced by 0.7 per cent of the average annual salary of the contributor during the sixty consecutive months of his contributory service during which his salary was highest, but not exceeding his year's maximum pensionable earnings under the *Canada Pension Plan* established at the time he ceased to be employed, multiplied by the number of full years and any part of a year of contributory service after the 1st day of January, 1966, but not more than thirty-five years of service shall be reckoned. C.P.P. reduction  
1964-65, c. 51 (Can.)
- (3) In the case of a person who retires after attaining the age of sixty years but before attaining the age of sixty-five years and who has contributed to the Special case

Fund for twenty or more years, the reduction in subsection 2 does not apply until the beginning of the month following the month in which he attained the age of sixty-five years.

Idem,  
allowances  
and  
annuities

- (4) The reduction in subsection 2 does not apply,
- (a) to a person who ceases to be employed in the public service before the year 1967; or
  - (b) to a person whose disability allowance commences before the 1st day of January, 1971.

Idem,  
annuities

- (5) The amount of every annuity shall, in addition to the reduction mentioned in subsection 2, be further reduced at the rate of 5 per cent for each year by which the age of the person is less than sixty-five years at the beginning of the month in which he commences to receive the annuity.

Where  
subs. 5  
does not  
apply

- (6) The reduction in subsection 5 does not apply to a person who has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966.

Special  
case

- (7) Where a person who is entitled to an allowance or an annuity has been a contributor to the Fund for fewer than sixty months, his allowance or annuity shall be based upon his average annual salary during the period that he was a contributor.

Computa-  
tion of  
part of  
year

- (8) Where a computation under this section involves part of a year, the computation in respect of that part shall be made on a monthly basis, and,
- (a) any part of a month less than fifteen days shall be disregarded; and
  - (b) any part of a month not less than fifteen days shall be deemed to be a month.

Guarantee

- (9) Subject to subsection 10, a person who has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966, and who ceases to be employed in the public service on or after that date shall, if he is qualified for an allowance or an annuity, receive an annual allowance or an annuity equal to that which he would have received if it had been computed under *The Public Service Superannuation Act* as it was on the 31st day of December, 1965.

R.S.O. 1960,  
c. 332

- (10) When a person referred to in subsection 9 attains the age at which he becomes entitled to a retirement pension under the *Canada Pension Plan* or commences to receive a disability pension under the *Canada Pension Plan*, his annual allowance or his annuity shall be recomputed under this section, and, if the amount thereof together with the pension he is then entitled to or is receiving under the *Canada Pension Plan*, other than that part derived from contributions made after he ceased to be employed in the public service, is less than the amount that he qualified for or received under subsection 9, the amount of the difference shall be added to the amount of his annual allowance or his annuity as so recomputed. Idem  
1964-65,  
c. 51 (Can.)

**11.** Section 13 of *The Public Service Superannuation Act*, as re-enacted by section 6 of *The Public Service Superannuation Amendment Act, 1961-62*, is repealed. R.S.O. 1960,  
c. 332, s. 13  
(1961-62,  
c. 122, s. 6),  
repealed

**12.** Section 14 of *The Public Service Superannuation Act* is repealed. R.S.O. 1960,  
c. 332, s. 14,  
repealed

**13.** Section 15 of *The Public Service Superannuation Act* is amended by striking out "14" in the first line and inserting in lieu thereof "20" and by striking out "at 3 per cent per annum" in the third line, so that the section shall read as follows: R.S.O. 1960,  
c. 332, s. 15,  
amended

15. Except as provided in section 20, where an annuitant dies, an amount equal to the amount of his contributions to the Fund with interest, less the amount of the annuity paid to him, shall be paid to his personal representative. Death of  
annuitant

**14.** Subsection 1 of section 16 of *The Public Service Superannuation Act*, as re-enacted by section 2 of *The Public Service Superannuation Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 332, s. 16,  
subs. 1  
(1962-63,  
c. 119, s. 2),  
re-enacted

- (1) Where a former contributor is, in the opinion of the Board, re-employed or engaged in any capacity in the service of the Crown and works for a period of more than thirty days in any one year, any allowance or annuity to which he is entitled during such re-employment or engagement shall not be paid in respect of such period. Re-  
employment

**15.** Section 17 of *The Public Service Superannuation Act*, as amended by section 8 of *The Public Service Superannuation* R.S.O. 1960,  
c. 332, s. 17,  
re-enacted



*Amendment Act, 1961-62 and section 3 of The Public Service Superannuation Amendment Act, 1964, is repealed and the following substituted therefor:*

## Refunds

17.—(1) Where a contributor,

- (a) resigns or is dismissed and is not entitled to or granted an allowance or an immediate annuity; or
- (b) dies leaving no widow, or no child or children under the age of eighteen years,

an amount equal to the total of his contributions to the Fund with interest shall be paid to him in monthly instalments or otherwise as he directs or to his personal representative, as the case may be.

Contributions  
locked in

(2) Notwithstanding subsection 1, a contributor,

- (a) who has attained the age of forty-five years;
- (b) who has contributed to the Fund in respect of a period of ten or more years; and
- (c) who resigns or is dismissed,

is not entitled to a refund of his contributions to the Fund in respect of service rendered after the 31st day of December, 1964.

## Exception

(3) Notwithstanding subsection 2, where the deferred annuity in respect of service rendered after the 31st day of December, 1964, is less than \$10 a month, it may be commuted for a cash sum.

R.S.O. 1960,  
c. 332, s. 18,  
re-enacted

**16.** Section 18 of *The Public Service Superannuation Act*, as amended by section 7 of *The Public Service Superannuation Amendment Act, 1960-61*, is repealed and the following substituted therefor:

Retirement  
or death  
before  
super-  
annuation

18. Where a contributor who,

- (a) has attained the age of sixty-five years retires and is not entitled to a superannuation allowance or annuity; or
- (b) is found by the Board to be unable to perform his duties by reason of mental or physical incapacity is retired by the Lieutenant



Governor in Council in circumstances under which he is not entitled to a disability allowance or annuity; or

- (c) has contributed to the Fund in respect of a period of less than ten years dies leaving a widow, or a child or children under the age of eighteen years,

twice the amount of his contributions to the Fund with interest shall be paid to him in monthly instalments or otherwise as he directs or to his widow or child or children, as the case may be.

**17.** Section 19 of *The Public Service Superannuation Act* <sup>R.S.O. 1960, c. 332, s. 19, amended</sup> is amended by striking out "at 3 per cent per annum" in the third and fourth lines, so that the section shall read as follows:

19. Except as provided in section 20, where a person who <sup>Death of person in receipt of allowance</sup> is in receipt of an allowance dies, an amount equal to the amount of his contributions with interest, less the amount of the allowance paid to him, shall be paid to his personal representative.

**18.** Section 20 of *The Public Service Superannuation Act*, <sup>R.S.O. 1960, c. 332, s. 20, re-enacted</sup> as amended by section 8 of *The Public Service Superannuation Amendment Act, 1960-61* and section 9 of *The Public Service Superannuation Amendment Act, 1961-62*, is repealed and the following substituted therefor:

- 20.—(1) For the purposes of subsections 2 and 5 to 9, <sup>Interpretation</sup> "allowance" includes an annuity, and, in the case of a deferred annuity, it shall be deemed that it is being paid.

- (2) Subject to subsection 3, where a contributor who has <sup>Allowances to widows, etc.</sup> contributed to the Fund in respect of a period of ten or more years, or a person to whom an allowance is being paid,

(a) dies leaving a widow, an amount equal to,

- (i) one-half of the allowance computed in the manner provided in subsections 1 to 8 of section 12 but based on the deceased's employment to the time of his death, or
- (ii) one-half of the allowance that the deceased was receiving at the date of his death,

as the case may be, shall be paid to his widow during her life or during her widowhood, and, where the widow dies or marries leaving a child or children of the former contributor who at the date of her death or marriage is or are under the age of eighteen years, an amount equal to that paid to the widow shall be paid to the child or children until such age is attained; or

- (b) dies leaving no widow, but leaving a child or children under the age of eighteen years, an amount equal to,
  - (i) one-half of the allowance computed in the manner provided in subsections 1 to 8 of section 12 but based on the deceased's employment to the time of his death, or
  - (ii) one-half of the allowance that the deceased was receiving at the date of his death,

as the case may be, shall be paid to the child or children until such age is attained.

#### Exceptions

- (3) Where a person dies who,

- (a) had established credit in the Fund from a day on or after the 1st day of January, 1966, or had commenced his employment in the public service on or after such day and was receiving an allowance under subsection 3 of section 9 and had not attained the age at which he could have qualified for a pension under the *Canada Pension Plan* at the date of his death; or
- (b) had credit in the Fund in respect of employment in the public service before the 1st day of January, 1966, and ceased to be employed in the public service on or after that date and was receiving an allowance or annuity and had not attained the age at which he could have qualified for a pension under the *Canada Pension Plan* at the date of his death,

the allowance payable to the widow, widower or child or children, as the case may be, shall be one-half of the allowance or the annuity that he would

have

have received at the beginning of the month following the month in which he would have attained such age.

- (4) In computing an allowance under this section, the reduction referred to in subsection 5 of section 12 is not to exceed 50 per cent. <sup>Maximum reduction</sup>
- (5) Where the payments made under subsection 2 or the amount of the allowance and any payments made under subsection 2, as the case may be, are less than the amount of the contributions of the deceased with interest, the amount of the difference shall be paid to his personal representative. <sup>Where payments less than contributions</sup>
- (6) Subsection 2 does not apply to the widow of a contributor or of a person to whom an allowance was being paid if she married him after the date of his retirement or to the child or children of such marriage, but an amount equal to twice the amount of his contributions with interest, less the total amount of the allowance, if any, paid to him shall be paid to his widow or child or children, as the case may be. <sup>Post-retirement marriages</sup>
- (7) Where the contributor or the person to whom an allowance was being paid was a widow who died leaving a child or children, subsection 2 applies *mutatis mutandis* to the child or children. <sup>Where deceased was a widow with children</sup>
- (8) Where the contributor or the person to whom an allowance was being paid dies leaving a widower, this section applies *mutatis mutandis* to him, <sup>Widower's allowance</sup>
- (a) if he was permanently incapacitated and wholly supported by her at the time of her death; and
- (b) if she had been married to him for at least one year at the time of her death.
- (9) Where a contributor who had credit in the Fund on the day this Act came into force, <sup>Exception</sup>
- (a) dies before the 1st day of January, 1969; or
- (b) ceases to be employed before that day and subsequently dies,

leaving a widow or child or children, the allowance otherwise payable under this section shall be computed under *The Public Service Superannuation Act* as it was on the 31st day of December, 1965.

Commence-  
ment of  
dependants'  
allowances

- (10) An allowance under this section shall commence on the first day of the month next following the month during which the entitlement thereto occurred.

R.S.O. 1960,  
c. 332, s. 26,  
re-enacted

**19.** Section 26 of *The Public Service Superannuation Act*, as amended by section 3 of *The Public Service Superannuation Amendment Act, 1965*, is repealed and the following substituted therefor:

Interpre-  
tation

- 26.—(1) In this section, “contributions” means a person’s contributions, the Government’s contributions with respect thereto and interest on both such contributions at  $4\frac{3}{4}$  per cent per annum compounded annually.

Teachers  
becoming  
civil  
servants

- (2) Where a person who has contributions in the Teachers’ Superannuation Fund becomes a civil servant engaged as a teacher in a department of the Government or as an inspector or in a supervisory capacity in the Department of Education, he may elect to continue as a contributor under *The Teachers’ Superannuation Act* or to become a contributor under this Act and he shall send written notice thereof to the Teachers’ Superannuation Commission and to the Board within sixty days of his appointment as a civil servant and, if he fails to send such notice in accordance with this subsection, he shall continue as a contributor under *The Teachers’ Superannuation Act*.

R.S.O. 1960,  
c. 392

Idem

- (3) Where a person who has contributions in the Teachers’ Superannuation Fund becomes a civil servant and he elects to become a contributor under this Act in accordance with subsection 2 or he is engaged in a capacity other than any of those mentioned in subsection 2, he shall contribute under this Act.

Service  
credits

- (4) Where the contributions of a person mentioned in subsection 3 are transferred from the Teachers’ Superannuation Fund to the Fund, he shall receive service credit in the Fund equal to 100 per cent of his continuous service in the Teachers’ Superannuation Fund or equal to 70 per cent of the total of his continuous and non-continuous service in the Teachers’ Superannuation Fund, as the case may be, as determined by the Board, but in the latter case the number of years of service credit in the Fund shall not exceed twenty years.



- (5) A contributor to the Fund who was a contributor on the 31st day of December, 1965, and whose contributions in the Teachers' Superannuation Fund were transferred to the Fund may, if a written request is made to the Board on or before the 31st day of December, 1967, have his service credit re-assessed under subsection 4, and, where his service credit is so re-assessed, he shall for all purposes, other than for his service credit, be deemed to have become a contributor to the Fund on the 1st day of January, 1966. Option
- (6) Where a former contributor to the Fund who is not in receipt of an allowance or an annuity is employed within the meaning of *The Teachers' Superannuation Act*, his contributions in the Fund shall, if he so requests in writing before a refund is made, be transferred to the Teachers' Superannuation Fund. Contributors to Fund becoming teachers R.S.O. 1960, c. 392

**20.**—(1) Section 37 of *The Public Service Superannuation Act*, as re-enacted by section 7 of *The Public Service Superannuation Amendment Act, 1965*, is amended by inserting after "and" in the fourth line "subject to subsection 2", so that subsection 1 of the said section shall read as follows: R.S.O. 1960, c. 332, s. 37 (1965, c. 111, s. 7), amended

- (1) The interest of any person in the Fund or in any allowance, annuity, refund or other sum payable out of the Fund is not subject to garnishment, attachment, seizure or other process of law and, subject to subsection 2, is not assignable. No attachment, etc.
- (2) The said section 37 is further amended by adding there- to the following subsection: R.S.O. 1960, c. 332, s. 37, amended
- (2) Where a former contributor who is entitled to a refund or a lump-sum payment from the Fund requests in writing to the Board to have the refund or payment paid into another registered pension plan or into a registered retirement savings plan, the refund or payment shall be so paid. Payments into other funds

**21.** Section 43 of *The Public Service Superannuation Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 332, s. 43, re-enacted

43. Nothing in this Act increases or decreases the amount of any allowance or annuity that was being paid or to which a former contributor had become entitled under this Act immediately before the 1st day of January, 1966. Amount of existing benefits not changed



Separations  
after Jan. 1,  
1966, and  
before  
Royal  
Assent

**22.** *The Public Service Superannuation Act* as it was immediately before this Act received Royal Assent applies to every person who ceased to be employed in the public service on or after the 1st day of January, 1966, and before the day on which this Act received Royal Assent.

Commence-  
ment

**23.**—(1) This Act, except sections 1, 3, 9, 10, 11, 15 and 19, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 3, 9, 10, 11, 15 and 19 shall be deemed to have come into force on the 1st day of January, 1966.

Short title

**24.** This Act may be cited as *The Public Service Superannuation Amendment Act, 1966*.

## CHAPTER 132

**An Act to amend The Public Trustee Act**

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 7 of *The Public Trustee Act* is amended by inserting after "Public Trustee" in the first line "may be granted letters probate or letters of administration and", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 334, s. 7,  
subs. 1,  
amended

- (1) The Public Trustee may be granted letters probate or letters of administration and, with his consent in writing, may be appointed trustee of any will or settlement or other instrument creating a trust or duty in the same manner as if he were a private trustee.

Acceptance  
and execu-  
tion of  
trusts

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Public Trustee Amendment Act, 1966*.

Short title



## CHAPTER 133

## An Act to amend The Public Utilities Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 27 of *The Public Utilities Act* is repealed and the following substituted therefor:
 

R.S.O. 1960,  
 c. 335, s. 27,  
 subs. 4,  
 re-enacted
- (4) Where rates that are based on the water rates or charges charged or chargeable in respect of any land are imposed on the owners or occupants of such land in respect of the construction, operation or maintenance of sewage works or in respect of sewage service, the corporation may, in default of payment of the rates in respect of sewage works or sewage service, shut off the supply of water provided by the corporation to such land, but the rates in default are, nevertheless, recoverable.
 

Default of  
 payment of  
 sewer rate  
 or sewage  
 service rate
- (5) In subsection 4, "sewage works" and "sewage service" mean sewage works and sewage service as defined in *The Ontario Water Resources Commission Act*.
 

Interpre-  
 tation  
 R.S.O. 1960,  
 c. 281
- (6) The amount payable to a municipal corporation or to a public utility or hydro-electric commission of a municipality or to The Hydro-Electric Power Commission of Ontario is a debt and may be recovered by action in a court of competent jurisdiction.
 

Action to  
 recover  
 amount  
 payable
2. This Act comes into force on the day it receives Royal Assent.
 

Commence-  
 ment
3. This Act may be cited as *The Public Utilities Amendment Act, 1966*.
 

Short title





## CHAPTER 134

**An Act to amend  
The Railway Fire Charge Act**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Railway Fire Charge Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 343,  
amended

10a. Except in accordance with a system established or approved by the Lieutenant Governor in Council, no patentee of railway lands and no owner or tenant who is a subsidiary of or affiliated with a patentee of railway lands shall charge any fee for the use of his railway lands for the purpose of hunting or fishing, and no such patentee, owner or tenant shall prohibit any person from hunting or fishing on such railway lands. Hunting  
and fishing  
on railway  
lands

**2.** Section 11 of *The Railway Fire Charge Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 343, s. 11,  
amended

(ba) establishing or approving one or more systems for the use of designated railway lands for hunting or fishing.

**3.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**4.** This Act may be cited as *The Railway Fire Charge Amendment Act, 1966*. Short title



## CHAPTER 135

## An Act respecting Regional Development Councils

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "council" means a corporation named in, or designated under, section 2 as a regional development council;
- (b) "Minister" means the Minister of Economics and Development.

**2.**—(1) The names of the following corporations are hereby changed by substituting the word Council for Association in each case, and such corporations are regional development councils for the purposes of this Act:

Regional  
develop-  
ment  
councils

Eastern Ontario Regional Development Association,  
Lake Ontario Regional Development Association,  
Georgian Bay Regional Development Association,  
Northeastern Ontario Regional Development Association,  
Northwestern Ontario Regional Development Association,  
Lake Erie Regional Development Association,  
St. Clair Regional Development Association,  
Niagara Regional Development Association,  
Midwestern Ontario Regional Development Association.

(2) The Lieutenant Governor in Council may from time to time designate any other corporation as a regional development council for the purposes of this Act.

Idem

**3.** The objects of each council are to undertake such informational, educational and promotional programmes and activities as relate to the orderly growth and economic development of the region in which it has jurisdiction.

Objects

## Regions

**4.** The Minister shall designate the region in which each council shall have jurisdiction.

## Funds of council

**5.**—(1) A council may receive funds from any source, including municipal and provincial governments, and expend such funds for the objects of the council.

## Municipal grants

(2) Any municipality may make an annual grant to a council to assist the council in carrying out its objects.

## Provincial grants

(3) The Minister may make an annual grant to a council, out of the moneys appropriated therefor by the Legislature, to assist the council in carrying out its objects.

## Application of 1961-62, c. 97

**6.** Each council shall be deemed to be a local board for the purposes of *The Ontario Municipal Employees Retirement System Act, 1961-62*.

## Council deemed association under R.S.O. 1960, c. 249

**7.** Each council shall be deemed to be a Regional Development Association for the purposes of paragraph 14 of section 377 of *The Municipal Act*.

## Commencement

**8.** This Act comes into force on the day it receives Royal Assent.

## Short title

**9.** This Act may be cited as *The Regional Development Councils Act, 1966*.

## CHAPTER 136

## An Act to amend The Registry Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Registry Act*, as amended by section 1 of *The Registry Amendment Act, 1962-63* and section 1 of *The Registry Amendment Act, 1964*, is repealed and the following substituted therefor:

1. In this Act,

Interpre-  
tation

- (a) "certificate of amalgamation of loan corporations" includes a copy certified under the hand of the Registrar of Loan and Trust Corporations of the certificate of assent and declaration referred to in section 102 of *The Loan and Trust Corporations Act* and of any document mentioned in such certificate and a certificate issued for the purpose of registration under any Act of the Legislature authorizing or ratifying an agreement for the purchase and sale of the assets, or for the amalgamation of loan corporations;
- (b) "Inspector" means the Inspector of Legal Offices appointed under *The Judicature Act*;
- (c) "instrument" includes every instrument whereby land in Ontario may be transferred, disposed of, charged, encumbered or affected in any other way, and, without limiting the generality of the foregoing, includes any instrument mentioned in subsection 8 of section 20 and a Crown grant of Canada and of Ontario, a deed, conveyance, mortgage, notice of sale by a mortgagee, assignment of mortgage, certificate of discharge of mortgage, assurance, lease, bond, release, dis-

charge,



R.S.O. 1960,  
c. 106

charge, agreement for the sale or purchase of land, caution under *The Devolution of Estates Act* or renewal or withdrawal thereof, municipal by-law, certificate of proceedings in any court, judgment or order of foreclosure and every other certificate of judgment or order of any court affecting any interest in or title to land, and a certificate of payment of taxes granted under the corporate seal of any municipality by the treasurer, a sheriff's and treasurer's deed of land sold by virtue of his office, a contract in writing, every order and proceeding in bankruptcy and insolvency, a plan of a survey or subdivision of land, and every notice, caution and other instrument registered in compliance with an Act of Canada or Ontario;

- (d) "land" includes lands, tenements, hereditaments and appurtenances and any estate or interest therein;
- (e) "letters probate" includes letters testamentary or a similar grant based on a will proven before a court having jurisdiction in probate matters outside Ontario;
- (f) "local description" means a description of land drawn in accordance with the regulations;
- (g) "notarial" includes prothonotarial;
- (h) "photographic film" includes any photographic plate, microphotographic film or photocopy negative;
- (i) "plan of subdivision" means a plan by which the owner of land divides the land into areas designated on the plan, but does not include a plan under *The Cemeteries Act* or *The Expropriation Procedures Act, 1962-63*;
- (j) "prescribed" means prescribed by this Act or the regulations;
- (k) "registered" means registered under this Act;
- (l) "regulations" means the regulations made under this Act;

R.S.O. 1960,  
c. 47  
1962-63,  
c. 43

(m)

(m) "surveyor" means a surveyor as defined in *The Surveyors Act*;

R.S.O. 1960,  
c. 389

(n) "will" means a will as defined in *The Wills Act*.

R.S.O. 1960,  
c. 433

2.—(1) Subsection 1 of section 6 of *The Registry Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 348, s. 6,  
subs. 1,  
re-enacted

(1) For the safe-keeping and protection of all books, records, memorials, documents, instruments and plans in the custody of the registrar, the council of every county, where at any time there are no safe and proper fire-proof offices provided by the council or where any registry office is established or where under section 5 the Lieutenant Governor in Council has directed a change of site, shall provide, furnish, maintain and keep in good repair a safe and fire-proof registry office upon a plan and on a site to be approved by the Lieutenant Governor in Council, and the council shall keep the registry office in good repair, furnished with fuel and furniture and properly heated, lighted, cleaned and ventilated.

County  
councils  
to provide  
fire-proof  
offices

(2) Subsection 3 of the said section 6 is amended by striking out "sections 109 and 113" in the fifth line and inserting in lieu thereof "section 113", by striking out "the vault of" in the seventh and eighth lines and by striking out "vault" in the ninth line and inserting in lieu thereof "registry office", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 348, s. 6,  
subs. 3,  
amended

(3) Except where otherwise provided in this Act, the Inspector may in writing authorize the registrar under the direction of an architect named by the Inspector to expend out of the proportion of the fees to which the county or city may then or thereafter be entitled under section 113 so much as may be deemed by the Inspector to be necessary in providing adequate fire-proof or metal fittings for the registry office or for the proper heating and ventilation of the registry office, and the amount so expended, including the architect's charge, shall be certified by the Inspector, and his certificate or a duplicate thereof shall be transmitted by the registrar to the treasurer of the county or city, and is a discharge to the registrar of the amount so certified, as against the proportion of the fees then payable or to become thereafter payable by him.

Registrar  
to provide  
fire-proof  
or metal  
fittings,  
when  
directed by  
Inspector

3. Section 12 of *The Registry Act* is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 348, s. 12,  
amended

Senior  
deputy

- (1a) Where a registrar has more than one deputy, he shall, with the approval of the Inspector, designate one of the deputies as his senior deputy.

R.S.O. 1960,  
c. 348, s. 17  
(1962-63,  
c. 124, s. 6),  
amended

4. Section 17 of *The Registry Act*, as re-enacted by section 6 of *The Registry Amendment Act, 1962-63*, is amended by adding thereto the following subsection:

Effect of  
abstract

- (7) An abstract furnished by a registrar under this section is *prima facie* evidence of the registration of the instruments of which extracts are included in the abstract.

R.S.O. 1960,  
c. 348, s. 20,  
subs. 1,  
re-enacted

- 5.—(1) Subsection 1 of section 20 of *The Registry Act* is repealed and the following substituted therefor:

Treasurer  
to provide  
books, etc.

- (1) The treasurer of every county and the treasurer of every city for which there is a separate registry office shall on the written request of the registrar provide and pay for all books and indexes required for the business of the registry office.

R.S.O. 1960,  
c. 348, s. 20,  
subss. 3, 4,  
repealed

- (2) Subsections 3 and 4 of the said section 20 are repealed.

R.S.O. 1960,  
c. 348, s. 20,  
subs. 7,  
repealed

- (3) Subsection 7 of the said section 20 is repealed.

R.S.O. 1960,  
c. 348, s. 20,  
subs. 8  
(1962-63,  
c. 124, s. 7,  
subs. 3),  
subss. 9-11,  
re-enacted

- (4) Subsection 8, as re-enacted by subsection 3 of section 7 of *The Registry Amendment Act, 1962-63* and amended by section 6 of *The Registry Amendment Act, 1964*, and subsections 9, 10 and 11 of the said section 20 are repealed and the following substituted therefor:

General  
registrations

- (8) The following instruments when received for registration shall be registered as general registrations and, except as otherwise provided in this Act, shall not be recorded in the abstract index:

1. Wills.
2. Letters probate.
3. Letters of administration.
4. General appointments of new trustees.
5. Certificates or certified or notarial copies of judgments or of court orders appointing or removing executors, administrators, guardians or trustees.

6. General certificates of payment of succession duties under *The Succession Duty Act*. R.S.O. 1960,  
c. 386
7. Certificates or certified or notarial copies of orders made under *The Mental Incompetency Act*. R.S.O. 1960,  
c. 237
8. Certificates under section 19 of *The Change of Name Act*. R.S.O. 1960,  
c. 49
9. Powers of attorney or revocations thereof.
10. General bars of dower.
11. Orders in council of Canada or Ontario, or certified copies thereof, not containing local descriptions.
12. Notarial copies of letters patent of incorporation or of supplementary letters patent.
13. Notarial copies of letters patent changing names of corporations or amalgamating corporations.
14. Notarial copies of certificates of amalgamation of loan or trust corporations.
15. Notarial copies of licences in mortmain.
16. Notarial copies of extra-provincial licences under Part IX of *The Corporations Act*. R.S.O. 1960,  
c. 71
17. Plan Documents under subsection 9 of section 86.
18. Claims for lien under *The Mechanics' Lien Act* against land that constitutes the line of railway or right-of-way of a railway company. R.S.O. 1960,  
c. 233
- (9) Every registrar shall keep an alphabetical index in the prescribed form of all general registrations, to be known as the "General Register Index". General  
Register  
Index
- (10) The Inspector may, by written direction, require a registrar to prepare and maintain a separate alphabetical index for any class of general registrations. a Separate  
Index



Books, etc.,  
Crown  
property

- (11) All books, indexes, photographic film reproductions and other records used and kept in and for the purposes of a registry office are the property of the Crown.

R.S.O. 1960,  
c. 348, s. 25,  
re-enacted

6. Section 25 of *The Registry Act* is repealed and the following substituted therefor:

Registrar  
removed or  
resigning to  
deliver up  
books to  
new  
registrar,  
etc.

25. Where a registrar is removed from or resigns his office, he shall forthwith deliver up all books, plans, instruments, memorials, indexes and photographic film reproductions thereof in his custody as registrar to the person who is appointed registrar in his stead or to any other person who is appointed in writing by the Attorney General to receive them, and, if the registrar refuses to do so, the Attorney General may direct the sheriff of the county to seize and take immediate possession of them wheresoever found.

R.S.O. 1960,  
c. 348, s. 26,  
subs. 1  
(1962-63,  
c. 124, s. 9,  
subs. 1),  
subs. 2, 3,  
re-enacted

7. Subsection 1, as re-enacted by subsection 1 of section 9 of *The Registry Amendment Act, 1962-63*, and subsections 2 and 3 of section 26 of *The Registry Act* are repealed and the following substituted therefor:

Preserva-  
tion of  
abstract  
books, etc.

- (1) It is the duty of every registrar to preserve the abstract index books and other records of his office in good repair.

Copying  
and repair  
of books,  
etc.

- (2) A registrar may, when he deems it necessary, and shall, when so directed by the Inspector, cause,

(a) any book that is becoming obliterated or unfit for further use to be manually or mechanically copied or reproduced and, where portions of the entries in the book are missing, obliterated or cannot be deciphered, the missing details to be obtained, so far as possible, by examination of the instruments relating thereto and incorporated in the copy;

(b) plans and maps to be copied, repaired, restored, mounted, bound or otherwise preserved; and

(c) any book to be repaired,

in a manner approved by the Inspector.

Copy to be  
certified

- (3) Where a book is copied or reproduced under clause a of subsection 2, the registrar shall certify the correctness of the copy.

(3a)



- (3a) The certificate of a registrar under subsection 3 is, <sup>Effect of certificate</sup> to the extent specified in the certificate, *prima facie* evidence that the copy is a true copy of the original book, and such certified copy shall be accepted and received as the original, but the registrar shall nevertheless carefully preserve the original book and produce it upon demand.

8. Section 31 of *The Registry Act* is repealed and the following substituted therefor: <sup>R.S.O. 1960, c. 348, s. 31, re-enacted</sup>

- 31.—(1) Except as otherwise provided in and subject <sup>Instruments that may be registered</sup> to this Act and the regulations, any instrument within the meaning of clause *c* of section 1 and any other instrument specifically permitted to be registered under Part I of this Act may be registered.

- (2) Unless otherwise provided in this Act, any instrument <sup>Delivery of instruments to registrar</sup> that may be registered shall be registered upon and by delivery to and deposit with the registrar of the instrument or of an executed duplicate or other original part thereof with all necessary affidavits.

- (3) Subject to subsection 4, the registration of an instrument purporting to affect unpatented Crown <sup>Un-patented Crown land</sup> land has no effect under this Act.

- (4) Subsection 3 does not apply, <sup>Exceptions</sup>

- (a) to a mortgage or other encumbrance made by the original nominee of the Crown or by a person through whom a person obtaining a grant of land from the Crown derived title, or to a lien affecting the land;

- (b) to a plan of Crown land made under *The Highway Improvement Act*, *The Public Lands Act* or any other Act of Ontario; <sup>R.S.O. 1960, cc. 171, 324</sup>

- (c) to a lease of Crown land or of an interest therein or of any interest of the Crown in land under *The Mining Act* or *The Public Lands Act*; <sup>R.S.O. 1960, cc. 241, 324</sup>

- (d) in the case of an instrument purporting to affect land, which when the instrument was registered was unpatented Crown land, if,

- (i) a patent of the land is subsequently registered, or

(ii)

- (ii) a notice, which was issued by any competent governmental authority, in existence before or after the creation of the Province of Ontario, and which stated that the land was patented, is recorded in the registry office; or
- (e) to an instrument affecting land that was unpatented Crown land at the time of registration of the instrument, where the instrument,
  - (i) was registered in compliance with an Act of Ontario, or
  - (ii) was registered as contemplated by an Act of Ontario and the instrument was either executed or approved on behalf of the Crown by a Minister or other person authorized by law so to do.

Water lots,  
etc.

- (5) An instrument purporting to affect land covered by water shall not be registered unless the registry division in which the land is situate can be readily ascertained from the instrument.

R.S.O. 1960,  
c. 348, s. 33,  
re-enacted

9. Section 33 of *The Registry Act*, as amended by section 10 of *The Registry Amendment Act, 1964*, is repealed and the following substituted therefor:

When local  
description  
required

33.—(1) An instrument that does not contain a local description of the land affected thereby shall not be registered, unless,

- (a) the instrument is a plan;
- (b) the instrument is to be registered as a general registration under subsection 8 of section 20;
- (c) the instrument is a by-law that does not directly affect title to land;
- (d) the instrument is a certificate of discharge purporting to completely discharge a mortgage to which subsection 5 of section 65 does not apply;
- (e) the instrument has securely attached to it a declaration in the prescribed form made by a party to the instrument or by his solicitor,

or

or by his attorney under registered power of attorney, or by the heirs, executors or administrators of a party to the instrument, or, where the party is a corporation, by an officer thereof, stating that the instrument affects land within the registry division, and containing a local description; or

- (f) the instrument is a judgment or order of the court or of a judge, or a certificate or certified or notarial copy of such judgment or order, and has securely attached to it a declaration in the prescribed form, made by one of the parties to the action or by his solicitor, stating that the instrument affects land within the registry division, and containing a local description.

- (2) A registered instrument may be recorded or further <sup>Idem</sup> recorded in the abstract index upon the registration of a declaration in the prescribed form made by any of the persons mentioned in clauses *e* and *f* of subsection 1.

33a.—(1) In this section, “easement” means an easement, <sup>Interpre-</sup>right-of-way, right or licence in the nature of an easement, *profit à prendre* or other incorporeal hereditament, but does not include such an easement arising by operation of law.

- (2) Notwithstanding section 15 of *The Conveyancing* <sup>Easements,</sup> *and Law of Property Act* or any rule of law, an <sup>etc.</sup> instrument purporting to convey an easement, made <sup>R.S.O. 1960,</sup> after the day on which this section comes into <sup>c. 66</sup> force, does not, as against a *bona fide* purchaser who, for valuable consideration and without actual notice, purchases the servient tenement after the registration of the instrument, convey to the grantee any interest in the easement unless a local description of the affected part of the servient tenement is contained in the instrument by which the conveyance is made.

10. Subsection 4 of section 34 of *The Registry Act* is <sup>R.S.O. 1960,</sup> repealed. <sup>c. 348, s. 34,</sup> <sup>subs. 4,</sup> <sup>repealed</sup>

11. Section 37 of *The Registry Act* is repealed and the <sup>R.S.O. 1960,</sup> following substituted therefor: <sup>c. 348, s. 37,</sup> <sup>re-enacted</sup>

Affirmation  
or declara-  
tion in  
certain  
cases  
R.S.O. 1960,  
c. 125

37. Where under this Act proof for registration is required in the form of an affidavit, the proof may be in the form of an affirmation or solemn declaration complying with section 18 or 43 of *The Evidence Act*, respectively.

R.S.O. 1960,  
c. 348, s. 40  
(1962-63,  
c. 124, s. 16),  
re-enacted

- 12.** Section 40 of *The Registry Act*, as re-enacted by section 16 of *The Registry Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Judge may  
dispense  
with  
affidavit  
of witness

40. Where an instrument that is otherwise capable of registration is not accompanied by an affidavit of execution as required by this Act or is accompanied by an incomplete or defective affidavit of execution, any person who is or claims to be interested in the registration of the instrument may make proof before a judge of any county or district court of the execution of the instrument, and, where a certificate in the prescribed form is endorsed on the instrument and signed by the judge, the certificate shall be received in lieu of the affidavit.

R.S.O. 1960,  
c. 348, s. 42  
(1962-63,  
c. 124, s. 17),  
subs. 1,  
amended

- 13.**—(1) Subsection 1 of section 42 of *The Registry Act*, as re-enacted by section 17 of *The Registry Amendment Act, 1962-63* and amended by section 14 of *The Registry Amendment Act, 1964*, is further amended by striking out “or” at the end of clause *a* and by adding thereto the following clauses:

- (c) the original judgment or order under the seal of the court; or
- (d) a notarial copy of the original judgment or order, certified copy or certificate, if the original judgment or order, certified copy or certificate is produced to the registrar with the notarial copy for verification of the correctness of the notarial copy.

R.S.O. 1960,  
c. 348, s. 42  
(1962-63,  
c. 124, s. 17),  
amended

- (2) The said section 42 is amended by adding thereto the following subsection:

Number of  
mechanic's  
lien to be  
included in  
order dis-  
charging,  
etc.

R.S.O. 1960,  
c. 233

- (3) After the 1st day of January, 1967, an order discharging a mechanic's lien or vacating a certificate of action under *The Mechanics' Lien Act* shall be registered by registering the order or a certificate thereof, under the seal of the court, that includes a local description and a reference to the registration number of every registered claim for lien and certificate of action affected thereby.

R.S.O. 1960,  
c. 348, s. 45,  
re-enacted

- 14.** Section 45 of *The Registry Act* is repealed and the following substituted therefor:



## 45. A registrar shall not register,

Address of  
grantee to  
be endorsed  
on certain  
instruments

- (a) a deed or other conveyance;
- (b) an agreement for the sale or purchase of land, or an assignment thereof;
- (c) a mortgage, or an assignment thereof;
- (d) a lease, or an assignment thereof, or a notice of a lease or assignment of a lease;
- (e) a claim for a mechanic's lien, or an assignment thereof;
- (f) a notice of a conditional sale contract, or an assignment thereof;
- (g) a certificate of judgment or a final order of foreclosure of a mortgage; or
- (h) a vesting order,

unless there is endorsed on such instrument the place of residence or address for service of each person obtaining or claiming an interest in or in respect of land under the instrument.

15. Section 47 of *The Registry Act* is repealed.

R.S.O. 1960,  
c. 348, s. 47,  
repealed

16. Section 48 of *The Registry Act*, as re-enacted by section 16 of *The Registry Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 348, s. 48  
(1964,  
c. 102, s. 16),  
re-enacted

- 48.—(1) A final order of foreclosure or an instrument purporting to be a conveyance of land under power of sale contained in an unregistered mortgage or a mortgage that has not been recorded in full shall not be registered until the mortgage and any assignment thereof have been duly registered and recorded in full under subsection 2, and a notation of the date of such recording shall be made in the abstract index opposite the entry of the mortgage and assignment, if any.

When  
mortgage  
to be  
recorded  
in full

- (2) Where a mortgage has not been recorded in full, the registrar, upon the application of any person claiming to be interested in the mortgaged land and upon payment of the prescribed fees, less the amount already paid for the registration of the mortgage, shall cause the mortgage to be recorded in full by means of photographic film reproduction.

Idem



R.S.O. 1960,  
c. 348, s. 51,  
repealed

**17.** Section 51 of *The Registry Act* is repealed.

R.S.O. 1960,  
c. 348, s. 52,  
re-enacted

**18.**—(1) Section 52 of *The Registry Act*, as amended by section 17 of *The Registry Amendment Act, 1964*, is repealed and the following substituted therefor:

Affidavit  
as to age

52.—(1) A deed, conveyance, mortgage, assignment of mortgage, discharge of mortgage, lease, assignment of lease, release or quit claim shall not be registered unless there is made on or securely attached to it an affidavit by each person or one of the persons, other than a corporation, making it, or, if the document is executed by an attorney, by that attorney, deposing that each person making the instrument was of the full age of twenty-one years at the time of execution of the instrument.

Guarantor,  
etc.

(2) On and after the 1st day of January, 1967, where a person executes a mortgage as a guarantor or surety, the mortgage shall not be registered unless there is made on or securely attached to it an affidavit by such person stating whether he was of the full age of twenty-one years at the time he executed the mortgage.

Plan of  
subdivision

(3) A plan of subdivision shall not be registered unless the age of every person, other than a corporation, who executes the plan as an owner or who, as mortgagee consents to the registration of the plan, is proven in the manner and form prescribed by the regulations to be of the full age of twenty-one years at the time of execution of the plan.

Power of  
attorney

(4) A power of attorney made after the 1st day of July, 1964, other than a power of attorney made by a corporation or by a married woman solely for the purpose of barring her dower, shall not be registered unless there is made on or securely attached to it the affidavit of one of the persons by whom it was executed, or by the attorney, deposing that each person by whom the power of attorney was executed was of the full age of twenty-one years at the time of execution of the power of attorney.

Affidavit  
as to  
marriage

(5) A deed, conveyance, mortgage, lease, release or quit claim that is made by a man and in which a woman joins as his wife to bar her dower shall not be registered unless there is made on or securely attached to it an affidavit by such man or woman, or, if the

document is executed by an attorney, by that attorney, deposing that they were married at the time of execution of the instrument.

- (6) A deed, conveyance, mortgage, lease, release or quit claim that is made by a man and in which no person joins as his wife shall not be registered unless there is made on or securely attached to it an affidavit by the man, or, if the document is executed by an attorney, by that attorney, deposing that the man was married, unmarried, divorced or a widower, as the case may be, at the time of execution of the instrument. Affidavit as to marital status
- (7) Where an affidavit required by this section is made by an attorney that is a corporation, the affidavit shall be made by an officer of the corporation. Affidavit by corporate attorney
- (8) Where an instrument that is otherwise capable of registration is not accompanied by an affidavit as required by this section or is accompanied by an incomplete or defective affidavit and a person who is or claims to be interested in the registration of the instrument makes proof before a judge of any county or district court that an affidavit as required cannot be obtained conveniently and that the facts were as are required to be stated by the affidavit, the judge may dispense with the affidavit, and thereupon he shall endorse upon the instrument or securely attach to it his certificate, in the prescribed form, stating the facts that have been proven to his satisfaction, and the judge's certificate shall be received in lieu of the affidavit. Judge may dispense with affidavit
- (9) Subsection 1 does not apply, Where subss. 1 does not apply
- (a) to a wife who joins in an instrument solely for the purpose of barring her dower;
  - (b) to an executor or administrator, the Public Trustee or any other person dealing with lands in a representative capacity; or
  - (c) to an infant who executes an instrument under the authority of a court of competent jurisdiction.
- (10) Subsections 5 and 6 do not apply, Where subss. 5, 6 do not apply
- (a) to a conveyance made in pursuance of a power of sale contained in a mortgage;

(b)

(b) to an instrument made by persons as joint tenants, trustees or under power of appointment or who hold the lands as partnership property if they are so described in a registered conveyance of the lands to them;

(c) to a mortgage of leasehold lands;

(d) to a person executing an instrument in his capacity as an executor or administrator or trustee under a will or to the Public Trustee or any other person dealing with lands in a representative capacity; or

(e) to a lessee.

#### Exception

(2) Notwithstanding subsection 2 of section 55 of this Act, subsection 1 of section 52 of *The Registry Act*, as re-enacted by subsection 1, does not apply in respect of a discharge of a mortgage where the discharge is executed before the 1st day of January, 1967.

R.S.O. 1960,  
c. 348, s. 53,  
subs. 4,  
amended

**19.**—(1) Subsection 4 of section 53 of *The Registry Act*, as amended by section 4 of *The Registry Amendment Act, 1965*, is further amended by adding “or” at the end of clause *j* in the amendment of 1965 and by adding thereto the following clauses:

R.S.O. 1960,  
c. 71

(k) a corporation exempted from Part IX of *The Corporations Act* under subsection 1 of section 345 of that Act; or

(l) Ontario Development Corporation.

R.S.O. 1960,  
c. 348, s. 53,  
amended

(2) The said section 53 is amended by adding thereto the following subsection:

#### Idem

R.S.O. 1960,  
c. 324

(5) This section does not apply in respect of a Crown grant to which section 37 of *The Public Lands Act* applies.

R.S.O. 1960,  
c. 348, s. 54  
(1962-63,  
c. 124, s. 22),  
subs. 5,  
amended

**20.** Subsection 5 of section 54 of *The Registry Act*, as re-enacted by section 22 of *The Registry Amendment Act, 1962-63*, is amended by striking out “shall” in the first line and inserting in lieu thereof “may”.

R.S.O. 1960,  
c. 348, s. 55  
(1962-63,  
c. 124, s. 22),  
subs. 1,  
cl. b,  
re-enacted

**21.**—(1) Clause *b* of subsection 1 of section 55 of *The Registry Act*, as re-enacted by section 22 of *The Registry Amendment Act, 1962-63*, is repealed and the following substituted therefor:

(b)

(b) shall cause every page thereof to be stamped with a perforating stamp bearing the word "Registered"; and

(c) shall cause it to be recorded,

(i) on photographic film,

(ii) in the proper abstract index, or in the general register index, or in the by-law index, and

(iii) subject to the regulations, in the alphabetical index.

(2) Subsection 4 of the said section 55 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 348, s. 55  
(1962-63,  
c. 124, s. 22),  
subs. 4,  
re-enacted

(4) Clause *b* and subclauses *i* and *iii* of clause *c* of subsection 1 do not apply in the case of a plan of subdivision or other registered plan.

Exception  
as to plans

**22.** Section 57 of *The Registry Act*, as re-enacted by section 23 of *The Registry Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 348, s. 57  
(1962-63,  
c. 124, s. 23),  
re-enacted

57. Where by any Act of Canada or Ontario an order in council or a certified copy thereof is required to be registered or deposited in a registry office, the order or a certified copy thereof may be registered and recorded,

Orders in  
council

(a) in the case of an order that does not contain a local description, as a general registration; or

(b) in the case of an order that contains a local description, in the abstract index.

**23.—**(1) Subsections 1, 2 and 3 of section 58 of *The Registry Act* are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 348, s. 58,  
subs. 1,  
re-enacted;  
subs. 2, 3,  
repealed

(1) A will shall be registered by registering,

Wills

(a) the original will or a notarial copy thereof with,

(i) an affidavit sworn by one of the subscribing witnesses to the will proving the due execution thereof by the testator, and

(ii)



(ii) an affidavit by one of the subscribing witnesses or by some other person stating that the testator is dead;

(b) the letters probate or letters of administration with the will annexed or a notarial copy thereof; or

(c) an exemplification or certified copy of the letters probate or letters of administration with the will annexed under the seal of the court that granted such letters or a notarial copy of such exemplification or certified copy.

R.S.O. 1960,  
c. 348, s. 58,  
subss. 4, 5,  
re-enacted

(2) Subsections 4 and 5 of the said section 58 are repealed and the following substituted therefor:

Consent of  
Treasurer  
required

(4) Except with the consent in writing of the Treasurer of Ontario or of some person authorized by him to consent,

(a) an original will; or

(b) letters probate, letters of administration with the will annexed, or any other grant based on a will given by a court outside Ontario having jurisdiction in probate matters,

or an exemplification, certified or notarial copy thereof shall not be registered under subsection 1.

Notarial  
copy of  
will, etc.

(5) Where, at the time of registration of a notarial copy under this section, the will or other instrument is produced to the registrar, he shall endorse his certificate of registration upon and return the will or other instrument.

R.S.O. 1960,  
c. 348, s. 58,  
subss. 8-10,  
re-enacted

(3) Subsections 8, 9 and 10 of the said section 58 are repealed and the following substituted therefor:

Notarial  
copy of  
general  
certificate

(8) Where, at the time of registration of a general certificate under subsection 7, a notarial copy thereof is produced to the registrar, he shall endorse his certificate of registration upon and return the copy.

Recording  
certificate

(9) A general certificate under subsection 7 shall be registered as a general registration, and shall also be recorded in the proper abstract index if any land is specifically referred to therein.



- (10) Notwithstanding anything in this section, a consent under subsection 6 or a general certificate under subsection 7 is required only once in connection with the same property in the same estate. Consent, etc., required only once

**24.** *The Registry Act* is amended by adding thereto the following section: R.S.O. 1960, c. 348, amended

- 58a. A consent under the *Estate Tax Act* (Canada) may be registered separately, or may be registered attached to an instrument in the same instances and in the same manner as a consent of the Treasurer of Ontario under subsection 6 of section 58. Consent under 1958, c. 29 (Can.)

**25.** Section 60 of *The Registry Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 348, s. 60, re-enacted

60. An instrument purporting to convey or otherwise deal with land in any manner shall not be registered if executed by any person as devisee, legatee, executor or administrator of the estate of a deceased person who at the time of his death appears from the instrument to have been in any wise possessed of or interested in the land in question unless before the time of registration of the instrument the will or the letters probate of the will or the letters of administration under which the person executing the instrument claims to be entitled has or have been registered in the registry division in which the land in question is situate and the registration date and number thereof have been inserted in the body of the instrument or in its margin. Where registration of will, etc., required

**26.**—(1) Subsection 1 of section 65 of *The Registry Act*, as amended by section 27 of *The Registry Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960, c. 348, s. 65, subs. 1, re-enacted

- (1) A certificate of discharge, in the prescribed form, of a registered mortgage, executed by the mortgagee, his executor, administrator or assignee, or by such other person as may be entitled by law to receive the money and to discharge the mortgage, may be registered. Discharge of mortgage

(2) Subsection 5 of the said section 65 is repealed and the following substituted therefor: R.S.O. 1960, c. 348, s. 65, subs. 5, re-enacted

- (5) Where land is mortgaged and subsequently subdivided by a registered plan of subdivision, judge's plan, registrar's compiled plan, or any other regis-

tered plan by which lots are created, any certificate of discharge of the mortgage shall contain a description of the affected land with reference to the plan.

R.S.O. 1960,  
c. 348,  
amended

**27.** *The Registry Act* is amended by adding thereto the following section:

Change of  
name of  
mortgagee

65a. Subject to section 66, where, after the registration of a mortgage, the name of the person or corporation entitled to receive the money and to discharge the mortgage has changed or been changed, an explanation of the change of name,

R.S.O. 1960,  
c. 49

(a) shall, in the case of a change of name by order under *The Change of Name Act* or by supplementary letters patent, be noted in the body or margin of the certificate of discharge, with reference to the registration number of the certificate of order or supplementary letters patent;

(b) shall, if made by an Act of Ontario or of any other jurisdiction, be noted in the body or margin of the certificate of discharge, with reference to the Act; or

(c) shall, if made upon or in consequence of adoption, marriage, annulment or dissolution of marriage, or in any other way, be set forth in a declaration, attached to the certificate of discharge, made by the person signing the certificate of discharge or by his solicitor.

R.S.O. 1960,  
c. 348, s. 68,  
subs. 1,  
amended

**28.**—(1) Subsection 1 of section 68 of *The Registry Act* is amended by striking out “tendered for registration or” in the eighth line, so that the subsection shall read as follows:

Registration  
of discharge  
given by  
person other  
than the  
mortgagee

(1) Where the person entitled to receive the mortgage money and to discharge a registered mortgage is not the original mortgagee, he shall, at his own expense, cause to be registered before the registration of the certificate of discharge all the instruments or documents through which he claims interest in and title to the mortgage money, and until those instruments or documents are registered the certificate of discharge shall not be registered.

R.S.O. 1960,  
c. 348, s. 68,  
subss. 5, 6,  
repealed

(2) Subsections 5 and 6 of the said section 68 are repealed.

**29.** Section 70 of *The Registry Act* is amended by inserting after "Act" in the fifth line "and the regulations", so that the section shall read as follows: R.S.O. 1960,  
c. 348, s. 70,  
amended

70. Every certificate of payment or discharge of a mortgage or of the conditions therein or of the lands or any part thereof, at any time given, and whether before or after the time limited by the mortgage for payment or performance, if in conformity with this Act and the regulations is, when registered, a discharge of the mortgage or of the lands described in the certificate, as the case may be, and is as valid and effectual in law as a release of the mortgage or of the lands and as a conveyance to the mortgagor, his heirs or assigns of the original estate of the mortgagor therein. Effect of  
registration  
of discharge  
of mortgage

**30.** *The Registry Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 348,  
amended

70a.—(1) In this section,

Interpre-  
tation

- (a) "deed to uses" means a deed purporting to grant or convey land to such uses as the grantee may appoint, regardless of the method of appointment specified in the deed, and, until appointment or in default of appointment, purporting to grant or convey the land to the use of the grantee absolutely, and includes every such deed containing words of like import, but does not include a mortgage;
- (b) "grantee to uses" means a grantee named in a deed to uses.
- (2) A mortgage made by a grantee to uses does not exhaust his power of appointment. Mortgage  
does not  
exhaust  
power
- (3) Notwithstanding the registration of a discharge of, Effect of  
discharge  
of mortgage
- (a) a mortgage that was made by a grantee to uses; or
- (b) a mortgage to which the land was subject when the grantee to uses became the grantee,

the

the grantee to uses may exercise his power of appointment as though the mortgage had not been made.

Application

(4) This section applies to,

- (a) land conveyed by a deed to uses registered on or after the day on which this section comes into force; and
- (b) land conveyed by a deed to uses registered before the day on which this section comes into force, but not conveyed or devised until after that day by the grantee to uses by a deed or will.

R.S.O. 1960,  
c. 348, s. 71,  
subs. 4,  
repealed

**31.** Subsection 4 of section 71 of *The Registry Act* is repealed.

R.S.O. 1960,  
c. 348, s. 73,  
subs. 1,  
amended

**32.**—(1) Subsection 1 of section 73 of *The Registry Act* is amended by striking out “and the certificate purporting to be the discharge thereof” in the second and third lines and inserting in lieu thereof “by an instrument that”, so that the subsection shall read as follows:

Marking off  
certain  
entries

- (1) Where a mortgage registered since the 1st day of January, 1890, is purported to be discharged by an instrument that has been registered for ten or more years, and wherever a certificate of *lis pendens* registered since the 1st day of January, 1890, has been vacated and the certificate of the judgment or order vacating it has been registered for two or more years, the registrar shall, wherever the mortgage or the discharge thereof or any other instrument dealing exclusively with the mortgage and wherever the certificate of *lis pendens*, certificate of judgment or order vacating the same appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same, and the lands described in the mortgage or certificate of *lis pendens* are validly discharged therefrom.

R.S.O. 1960,  
c. 348, s. 73,  
subs. 2,  
re-enacted

(2) Subsection 2 of the said section 73 is repealed and the following substituted therefor:

Partial  
discharge of  
mortgage

- (2) Where an instrument purporting to partially discharge a mortgage registered since the 1st day of January, 1890, has been registered for ten or more years and the mortgage does not affect any portion



of the lot other than the portion described in the instrument, the provisions of subsection 1 apply to the partial discharge in like manner as they would to the mortgage if wholly discharged.

(3) The said section 73 is amended by adding thereto the following subsections: R.S.O. 1960, c. 348, s. 73, amended

(7) Where an instrument is registered purporting to discharge a registered notice of a conditional sale contract and the discharge has been registered for two or more years, the registrar shall, if the discharge was registered after the 1st day of January, 1967, and may, if registered before that date, draw a line in red ink through the entries of the notice and of the discharge, and of any intervening assignment in the abstract index and initial and date the same, and thereupon the notice and assignment, if any, shall be validly discharged to the same effect thereafter with respect to persons dealing with the land mentioned or referred to therein as if the notice and assignment had not been registered under this Act. Conditional sales

(8) Where a notice of the granting of a pension was registered under section 13 of *The Old Age Pensions Act*, being chapter 258 of the Revised Statutes of Ontario, 1950, or any predecessor of that section, the registrar shall draw a line in red ink through the entry of the notice and of any registered discharge thereof in the abstract index and initial and date the same. Pension notices

**33.** Subsections 1 and 2 of section 75 of *The Registry Act* are repealed. R.S.O. 1960, c. 348, s. 75, subss. 1, 2, repealed

**34.** Subsection 3 of section 75a of *The Registry Act*, as enacted by section 32 of *The Registry Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 348, s. 75a (1962-63, c. 124, s. 32), subss. 3, repealed

**35.** Section 80 of *The Registry Act* is amended by adding thereto the following subsections: R.S.O. 1960, c. 348, s. 80, amended

(2) Subsection 1 does not apply to an instrument entered in the by-law index or to an instrument registered as a general registration under subsection 5 or 8 of section 20 or under predecessors of those subsections, Where subss. 1 does not apply



- (a) unless an entry of the instrument appears in the abstract index;
- (b) unless an entry of a declaration under subsection 2 of section 33 or a predecessor of that subsection referring to the instrument appears in the abstract index;
- (c) unless the instrument is mentioned in a subsequently registered instrument and an entry of the latter instrument or of a declaration referring thereto, as mentioned in clause *b*, appears in the abstract index; or
- (d) unless the instrument is a claim for lien under *The Mechanics' Lien Act* against land that constitutes the line of railway or right-of-way of a railway company.

R.S.O. 1960,  
c. 233

Saving

- (3) Subsection 2 does not, in respect of a lot or a part of a lot, alter the effect of registration of an instrument registered before the day on which that subsection comes into force if, within three years after that day, the instrument is re-registered or a declaration under subsection 2 of section 33 referring to the instrument is registered and an entry of the instrument or declaration is made in the abstract index for the lot or the part.

R.S.O. 1960,  
c. 348, s. 82,  
amended

**36.** Section 82 of *The Registry Act* is amended by adding thereto the following subsection:

Application  
of subs. 1

- (2) Subsection 1 does not apply in respect of a lot or a part of a lot unless an entry of the will, probate or letters of administration with the will annexed has been made in the abstract index for the lot or the part.

R.S.O. 1960,  
c. 348, s. 86  
(1964,  
c. 102, s. 22),  
subss. 3, 4,  
re-enacted

**37.—**(1) Subsections 3 and 4 of section 86 of *The Registry Act*, as re-enacted by section 22 of *The Registry Amendment Act, 1964*, are repealed and the following substituted therefor:

Instruments  
to conform  
to plan

- (3) Subject to section 90, an instrument affecting the land on a plan or any part thereof, executed after the plan is registered, except an instrument registered under subsection 5 or 8 of section 20, shall not be registered unless it refers and conforms to the plan.

Effect of  
mortgagee's  
consent

- (4) The consent of the mortgagee to a plan of subdivision, when registered, discharges from the mortgage any land dedicated by the owner as a public

highway

highway and any land designated as a reserve that is conveyed to the corporation of the municipality in which the land is situate.

(2) Subsection 7 of the said section 86 is amended by striking out "and, except in the case of a corporation, every such signature is verified by affidavit" in the eighth and ninth lines, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 348, s. 86  
(1964,  
c. 102, s. 22),  
subs. 7,  
amended

(7) The registrar shall not register a plan of a subdivision of land unless the person by whom or on whose behalf the plan is tendered for registration appears on the registry books to be the owner of the land, or unless the consent in writing of every person who appears by the registry books to be a mortgagee of the land is endorsed on the plan and signed by every such person, but nothing in this section shall be deemed to require the consent to any such plan of the owner of an easement or right in the nature of an easement in respect of the land.

Registrar  
not to file  
plans for  
anyone but  
owner or  
without  
consent of  
mortgagees

(3) The said section 86 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 348, s. 86  
(1964,  
c. 102, s. 22),  
amended

(9) Notwithstanding subsection 2 of section 34 and subsection 7 of this section, the consents of the mortgagees and the required affidavits may be omitted from the plan if they are included in an instrument, to be known as a "Plan Document", in the form prescribed and registered in the manner provided by the regulations.

Plan  
Document

**38.** Subsection 1c of section 88 of *The Registry Act*, as enacted by subsection 1 of section 23 of *The Registry Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 348, s. 88,  
subs. 1c  
(1964,  
c. 102, s. 23,  
subs. 1),  
re-enacted

(1c) Where a compiled plan is registered under subsection 1a,

Effect of  
compiled  
plan

(a) subject to section 90, an instrument affecting the land executed after the plan is registered, except an instrument registered under subsection 5 or 8 of section 20, shall not be registered unless it refers to the plan; and

(b) the plan is binding on all persons subsequently dealing with the land or any part thereof included in the plan or any interest in or con-

cerning the same, but does not affect the rights or interests of any owner or other person entitled at or before the date of registration.

R.S.O. 1960,  
c. 348, s. 89,  
amended

**39.** Section 89 of *The Registry Act* is amended by adding at the commencement thereof "Subject to the regulations", so that the section shall read as follows:

Registration  
of instru-  
ment  
referring to  
an unregis-  
tered plan

89. Subject to the regulations, no instrument referring to an unregistered plan shall be registered unless an instrument referring to the plan has been registered in respect of the same land, and, if the registrar objects to the registration of an instrument on the ground that it refers to an unregistered plan, he may refuse to register the instrument unless the person desiring its registration refers the registrar to the number of an instrument registered in respect of the same land referring to the unregistered plan.

R.S.O. 1960,  
c. 348,  
amended

**40.** *The Registry Act* is amended by adding thereto the following section:

When  
registered  
plan not  
signed by  
an owner  
becomes  
binding

91a.—(1) Where a parcel of land has been included in a registered plan of subdivision that was not signed by the owner of the parcel, and the parcel is subsequently described in a registered deed or other conveyance as being within the plan, the plan is as binding upon the grantee of the parcel and all persons claiming under him as if the plan had been signed by the owner of the parcel.

Saving

(2) Subsection 1 does not affect the rights of a mortgagee whose mortgage was registered before the deed or other conveyance, mentioned in subsection 1, was registered.

R.S.O. 1960,  
c. 348, s. 92a  
(1964,  
c. 102, s. 25),  
amended

**41.**—(1) Section 92a of *The Registry Act*, as enacted by section 25 of *The Registry Amendment Act, 1964*, is amended by inserting after "block" in the second line "or adds to a plan land that was previously not included therein", so that subsection 1 of the said section shall read as follows:

Registration  
of amended  
plan

(1) Where an amendment to a plan under section 91 or 92 alters the size or boundaries of any lot or block or adds to a plan land that was previously not included therein, the amendment does not take effect until a new plan of subdivision showing the amendments is registered with the amending order, and the provisions of this Act that apply to plans of sub-

division,

division, and the provisions of *The Planning Act* R.S.O. 1960,  
respecting the approval of plans of subdivision apply c. 296  
to the amended plan.

(2) The said section 92a is further amended by adding there- R.S.O. 1960,  
to the following subsection: c. 348, s. 92a  
(1964,  
c. 102, s. 25),  
amended

(2) This section does not apply to an order authorizing Saving  
a registrar to correct any erroneous measurement  
upon, or any error, defect or omission in, any regis-  
tered plan, and, subject to the regulations under  
*The Certification of Titles Act*, the judge may, upon R.S.O. 1960,  
an application made to him by the registrar or by a c. 48  
municipal council or by a person to whom sub-  
section 2 of section 91 applies and upon production  
of evidence satisfactory to the judge, and either  
upon giving such notice to interested parties as he  
deems appropriate or *ex parte*, make an order  
authorizing such corrections.

**42.** Section 93 of *The Registry Act* is repealed and the R.S.O. 1960,  
following substituted therefor: c. 348, s. 93,  
re-enacted

93. Where land has been sold in accordance with or by Un-  
reference to surveys or subdivisions that so differ registered  
from the manner in which the land was surveyed or plans of  
granted by the Crown that parcels so sold cannot be subdivision,  
easily identified unless the plan is registered, the etc.  
plan shall be registered if still in existence and  
procurable for registration.

93a.—(1) Where land in a municipality has been sold Municipal  
under surveys or subdivisions made in a manner plans  
that so differs from that in which the land was  
surveyed or granted by the Crown that the parcels  
sold cannot be easily identified, and the plan has not  
been registered, the council of the municipality may  
cause a plan of the land to be made and, with the  
approval of the Inspector endorsed thereon, regis-  
tered, and the expenses of the preparation and regis-  
tration of the plan may be paid in whole or in part  
by a special rate to be levied by assessment on the  
land comprised in the plan as described in a by-law  
to be passed for the purpose of levying such rate.

(2) A plan prepared under subsection 1 shall show such Designation  
subdivisions of original lots as are shown by regis- of lots  
tered plans, and such as are not so shown but appear  
from the instruments relating to the land, with each



of the lots as shown on the new plan numbered or lettered in such a manner that they may be readily identified.

Plan to  
comply with  
regulations

- (3) A plan under this section shall be prepared and registered in accordance with the regulations.

Subsequent  
dealings

- (4) Where a plan is registered under this section,
- (a) subject to section 90, an instrument affecting the land executed after the plan is registered, except an instrument registered under subsection 5 or 8 of section 20, shall not be registered unless it refers to the plan; and
  - (b) the plan is binding on all persons subsequently dealing with the land or any part thereof included in the plan or any interest in or concerning the same, but does not affect the rights or interests of any owner or other person entitled at or before the date of registration.

R.S.O. 1960,  
c. 348, s. 94,  
repealed

**43.**—(1) Section 94 of *The Registry Act*, as amended by subsection 1 of section 26 of *The Registry Amendment Act, 1964*, is repealed.

Saving

(2) Notwithstanding subsection 1, the said section 94 continues to apply to any plan registered, ordered to be registered or in the course of preparation for registration before this section comes into force.

R.S.O. 1960,  
c. 348, s. 94a  
(1964,  
c. 102, s. 27),  
amended

**44.** Section 94a of *The Registry Act*, as enacted by section 27 of *The Registry Amendment Act, 1964* and amended by section 7 of *The Registry Amendment Act, 1965*, is further amended by adding thereto the following subsection:

Subsequent  
dealings

- (11) Subject to section 90, where a plan is registered under this section, an instrument affecting the land executed after the plan is registered, except an instrument registered under subsection 5 or 8 of section 20, shall not be registered unless it refers and conforms to the plan.

R.S.O. 1960,  
c. 348, s. 96  
(1962-63,  
c. 124, s. 37),  
subs. 1,  
cl. b,  
amended

**45.** Clause *b* of subsection 1 of section 96 of *The Registry Act*, as re-enacted by section 37 of *The Registry Amendment Act, 1962-63*, is amended by striking out "more than ten acres" in the first and second lines and inserting in lieu thereof "ten acres or more", so that the clause shall read as follows:

(b)



- (b) unless the land described is ten acres or more in area and the unaffected remnant, if any, remaining in the owner is also ten acres or more; or

46. Section 107 of *The Registry Act*, as re-enacted by section 40 of *The Registry Amendment Act, 1962-63*, is amended by adding thereto the following subsection:

R.S.O. 1960, c. 348, s. 107 (1962-63, c. 124, s. 40), amended

- (4) Every registrar, other than a registrar in a provincial judicial district, shall transmit to the treasurer of the county or city for which or for part of which he is registrar a duplicate of his annual return on or before the 31st day of January of the year next following the year in respect of which it is made.

Duplicate return

47. *The Registry Act* is amended by repealing,

R.S.O. 1960, c. 348, ss. 109-111, 113, 114, re-enacted; s. 115, s. 116 (1962-63, c. 124, s. 45), repealed

- (a) section 109, as amended by section 42 of *The Registry Amendment Act, 1962-63*;
- (b) sections 110 and 111;
- (c) section 113, as amended by section 44 of *The Registry Amendment Act, 1962-63* and section 30 of *The Registry Amendment Act, 1964*;
- (d) sections 114 and 115; and
- (e) section 116, as re-enacted by section 45 of *The Registry Amendment Act, 1962-63*,

and substituting therefor the following:

109. Every registrar shall, on or before the 7th day of January in each year, transmit to the head of any municipality to which he has made payments in accordance with section 113 during the next preceding year a statement signed by him showing the amounts so paid and the dates of payment, and the head of the municipality receiving the statement shall cause it to be laid before the auditors when auditing the accounts of that year, and shall also read it at the first meeting of the council held after its receipt.

Registrars to send statement of amounts paid to head of municipality

110. In sections 111, 112, 113 and 119,

Interpretation

- (a) "disbursements" includes salaries, wages and employment benefits;

(b)

- (b) "surplus fees" means the excess of all fees and emoluments received during the calendar year, including fees received under *The Land Titles Act* by a registrar who is also a master of titles, after deducting the disbursements incidental to the business of his office.

R.S.O. 1960,  
c. 204

Registrars  
in the  
districts

111. A registrar in a provisional judicial district shall pay monthly to the Treasurer of Ontario the excess of his gross income, including income earned by him as master of titles, over the disbursements authorized under section 119 and shall forward every such payment to the Inspector, together with a monthly return in such form as is approved by the Inspector.

Salaries

- 112.—(1) The Lieutenant Governor in Council shall, by order in council, prescribe the manner in which the salaries of registrars shall be established.

Idem

- (2) Where it appears by the report of the Inspector that in any year a registrar or an officer holding the office of registrar and master of titles has derived from the fees and emoluments of his office, after deducting necessary disbursements, an income that is less than his fixed annual salary, there shall be paid to such registrar or officer, out of the Consolidated Revenue Fund, an amount sufficient to make up the income for the year to his fixed annual salary.

Registrar  
to pay  
surplus fees  
to treasurer  
R.S.O. 1960,  
c. 204

- 113.—(1) Subject to subsections 2 and 3 and to section 5b of *The Land Titles Act*, every registrar shall pay to the treasurer of the county or city for which or for part of which he is registrar the surplus fees of his office.

How  
computed  
in certain  
cases

- (2) Where a registry division includes a county or part of a county and a city or town separated from the county for municipal purposes, the surplus fees shall be paid to the treasurer of the county and to the treasurer of the city or town for the use of each municipality in the proportions in which the fees are derived from registrations in respect of land situate in the county and in the city or town respectively.

Division  
of surplus  
fees under  
subs. 2

- (3) Notwithstanding subsection 2, the Inspector may, in respect of any registry division, direct that the fees payable to the county and to a city or town shall be computed,

(a) in the proportion that the number of instruments affecting land in the county bears to those affecting land in the city or town; or

(b) upon the joint application of the county and of the city or town, in the proportions requested in the application.

(4) The registrar shall pay 70 per cent of the surplus fees in accordance with this section on or before the 31st day of January of the year next following the year in which the fees were received and shall pay the balance when the Inspector notifies the registrar that his annual return has been audited and found to be correct, or on the 31st day of March of the same year, whichever occurs first. When payment to be made

114. Section 109, subsection 2 of section 112 and section 113 do not apply to a registrar in a provisional judicial district. Exception

48. Section 117 of *The Registry Act* is amended by striking out "or percentage" in the fifth line. R.S.O. 1960, c. 348, s. 117, amended

49. Section 125 of *The Registry Act* is amended by striking out "\$5" in the eleventh line and inserting in lieu thereof "\$50". R.S.O. 1960, c. 348, s. 125, amended

50. Subsection 1 of section 126 of *The Registry Act*, as re-enacted by section 48 of *The Registry Amendment Act, 1962-63* and amended by section 32 of *The Registry Amendment Act, 1964*, is further amended by adding thereto the following clause: R.S.O. 1960, c. 348, s. 126 (1962-63, c. 124, s. 48), subs. 1, amended

(na) requiring, in connection with an instrument presented for registration, proof of compliance with any law that if not complied with might detrimentally affect the title or interest of a person claiming title or an interest under the instrument, and governing the form and manner of presentation of such proof.

51.—(1) Subsection 1 of section 130 of *The Registry Act*, as enacted by section 33 of *The Registry Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960, c. 348, s. 130 (1964, c. 102, s. 33), subs. 1, re-enacted

(1) Upon receiving the requisition under section 129 and the documents therein mentioned, the registrar shall cause the word "deposited" with the date and deposit number to be endorsed on the requisition. Numbering, etc.

Idem

- (1a) Deposits shall be numbered consecutively in order of time of receipt, in accordance with subsections 1 and 5 of section 54, as though they were instruments or a separate class of instruments.

R.S.O. 1960,  
c. 348, s. 130  
(1964,  
c. 102, s. 33),  
subs. 3,  
amended

- (2) Subsection 3 of the said section 130 is amended by adding at the end thereof "and, where the deposit refers to only a part of a lot, the entry in the abstract index shall include a reference to the part of the lot", so that the subsection shall read as follows:

Entry in  
abstract  
index

- (3) Where a deposit refers to a lot or parcel of land, the registrar shall enter in red ink in the abstract index against each such lot or parcel the words "See Deposit No. . . .", and, where the deposit refers to only a part of a lot, the entry in the abstract index shall include a reference to the part of the lot.

R.S.O. 1960,  
c. 348, s. 130  
(1964,  
c. 102, s. 33),  
subs. 4,  
re-enacted

- (3) Subsection 4 of the said section 130 is repealed and the following substituted therefor:

Recording

- (4) The registrar shall record every document deposited under this Part at full length by means of photographic film reproduction.

R.S.O. 1960,  
c. 348,  
amended

- 52.** *The Registry Act* is amended by adding thereto the following Part:

### PART III

#### INVESTIGATION OF TITLES

Interpre-  
tation

#### 133. In this Part,

- (a) "claim" means a right, title, interest, claim or demand of any kind or nature whatsoever affecting land set forth in, based upon or arising out of a registered instrument, and, without limiting the generality of the foregoing, includes mortgages, liens, easements, agreements, contracts, options, charges, annuities, leases, dower rights whether inchoate or otherwise, and restrictions as to the use of land or other encumbrances affecting land;
- (b) "owner" means a person, other than a lessee or a mortgagee, entitled to a freehold or other estate or interest in land at law or in equity, in possession, in futurity or in expectancy.



134. A person dealing with land shall not be required to show that he is lawfully entitled to the land as owner thereof through a good and sufficient chain of title during a period greater than the forty years immediately preceding the date of such dealing, except in respect of claims referred to in subsection 2 of section 135. <sup>Title shown for 40 years</sup>
- 135.—(1) A claim that has been in existence for longer than forty years does not affect land to which this Act applies unless the claim has been acknowledged or specifically referred to or contained in an instrument or a notice under this Part or under *The Investigation of Titles Act*, being chapter 193 of the Revised Statutes of Ontario, 1960 or any predecessor thereof, registered against the land within the forty-year period. <sup>Expiry of claims</sup>
- (2) Subsection 1 does not apply to, <sup>Exceptions</sup>
- (a) a claim of the Crown reserved by letters patent or a claim of the Crown in unpatented land or in land for which letters patent have been issued, but which has reverted to the Crown by forfeiture or cancellation of the letters patent, or in land that has otherwise reverted to the status of unpatented Crown land;
  - (b) a claim of the Crown or of a municipality in respect of any public highway or lane;
  - (c) a wife's claim to an inchoate right to dower in land while her husband is wholly or in part the owner thereof;
  - (d) a claim to an unregistered right-of-way or other easement or right that a person is openly enjoying and using;
  - (e) a claim to a freehold estate in land or an equity of redemption therein by a person shown by the abstract index for the land as being so entitled prior to any forty-year period and continuously shown by the abstract index for the land during the forty-year period and thereafter as being so entitled; or

(f)



(f) any claim imposed by a statutory enactment.

Idem

(3) For the purposes of subsection 1,

(a) a wife's claim to an inchoate right to dower in land shall be deemed to be acknowledged in an instrument by which her husband alienates the land; and

(b) an instrument, the entry of which has been marked off the abstract index under section 73, shall be deemed not to have been registered.

Registration  
of notice  
of claim

136.—(1) A person having a claim against land that is not barred under section 135 or a person on his behalf may register in the proper registry office a notice, which shall set forth the claimant's full name and address, a local description of the land and a detailed statement of the claim verified by the affidavit of the person registering the notice.

Idem

(2) Notwithstanding subsection 1 of section 135 and subsection 1 of this section, a notice of a claim that has expired by virtue of the operation of subsection 1 of section 135 may be registered under subsection 1 of this section if there has been no intermediate registered dealing with the land, and such registration has the same effect as if done within the time limited by subsection 1 of section 135.

Registration  
not to  
validate  
expired  
claim

(3) The registration of a notice under subsection 1 does not validate a claim that has otherwise expired.

Part  
to prevail  
over other  
provisions

137. Where there is any conflict between the provisions of this Part and those of any other Act or any regulation made thereunder or any rule of law, the provisions of this Part prevail.

1964, c. 102,  
ss. 8, 34,  
repealed

**53.** Sections 8 and 34 of *The Registry Amendment Act, 1964* are repealed.

Validity  
of prior  
registrations  
not affected

**54.** Except as provided in,

(a) section 31 of *The Registry Act*, as re-enacted by section 8 of this Act;

(b) section 70a of *The Registry Act*, as enacted by section 30 of this Act;

(c)

(c) section 80 of *The Registry Act*, as amended by section 35 of this Act; and

(d) sections 133, 134, 135, 136 and 137 of *The Registry Act*, as enacted by section 52 of this Act,

no provision of *The Registry Act* effected by this Act affects the validity or legal consequence, as the case may be, of the registration of any instrument that was registered before such provision came into force.

**55.**—(1) This Act, except sections 1 to 18, 20 to 45 and 49 to 54, comes into force on the day it receives Royal Assent. <sup>Commence-</sup>  
<sup>ment</sup>

(2) Section 18 shall be deemed to have come into force on the 1st day of July, 1964. <sup>Idem</sup>

(3) Sections 5, 8, 9, 23, 30, 35, 36 and 52 come into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Idem</sup>

(4) Sections 1 to 4, 6, 7, 10 to 17, 20 to 22, 24 to 29, 31 to 34, 37 to 45, 49 to 51, 53 and 54 come into force on the 1st day of January, 1967. <sup>Idem</sup>

**56.** This Act may be cited as *The Registry Amendment Act*, 1966. <sup>Short title</sup>



## CHAPTER 137

## The Representation Act, 1966

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The boundaries of every territorial district, county, city, town, village, township and improvement district shall for the purposes of this Act be deemed to be the boundaries of such territorial district, county, city, town, village, township or improvement district as defined by statute, by-law, proclamation or other lawful authority on the day upon which this Act comes into force. R.S.O. 1960, c. 353, s. 1, *amended*. Boundaries

**2.** The Legislative Assembly of Ontario shall consist of one hundred and seventeen members. R.S.O. 1960, c. 353, s. 2; 1962-63, c. 125, s. 1, *amended*. Number of members

**3.**—(1) Ontario shall, for the purpose of representation in the Assembly, be divided into the electoral districts as set out in the Schedule. Division of Ontario into electoral districts

(2) One member shall be returned to the Assembly for each electoral district. R.S.O. 1960, c. 353, s. 3, *amended*. One member per electoral district

**4.** The boundaries of the electoral districts as set out in the Schedule shall not be affected by alterations in municipal boundaries made after the day upon which this Act comes into force. R.S.O. 1960, c. 353, s. 4, *amended*. Changes in municipal boundaries

**5.** Where a city, town, village, township or improvement district becomes incorporated and is not expressly included in an electoral district set out in the Schedule but is situated in part in two or more of such electoral districts, the electors entitled to vote in such municipality are entitled to vote in the electoral district in which they would have been entitled to vote if the city, town, village, township or improvement district had not become incorporated. R.S.O. 1960, c. 353, s. 5, *amended*. Municipalities on boundary lines

Augmenta-  
tions or  
gores of  
townships

**6.** Except as otherwise expressly set out in the Schedule, every augmentation or gore of a township shall for the purposes of this Act be considered as forming part of the electoral district in which the township is situate. R.S.O. 1960, c. 353, s. 6.

Cities,  
towns, etc.,  
included in  
electoral  
district in  
which  
situate

**7.** Every city, town, village, township and improvement district heretofore or hereafter incorporated, situate wholly within an electoral district as set out in the Schedule and not expressly included in any other electoral district in the Schedule, form part of the electoral district in which it is situate. R.S.O. 1960, c. 353, s. 8, *amended*.

Special  
Act  
overruled

**8.** Every city, town, village, township and improvement district that by the provisions of any special Act passed before this Act comes into force forms or forms part of an electoral district shall, notwithstanding such provisions, form or form part of the electoral district or districts in which it is included in the Schedule. R.S.O. 1960, c. 353, s. 9, *amended*.

R.S.O. 1960,  
c. 353;  
1962-63,  
c. 125,  
repealed

**9.** *The Representation Act and The Representation Amendment Act, 1962-63* are repealed.

Commence-  
ment

**10.** This Act comes into force and has effect on the day after the day upon which the present Legislature is dissolved or ended by the effluxion of time.

Short title

**11.** This Act may be cited as *The Representation Act, 1966*.



## SCHEDULE

In the following descriptions reference to "avenue", "boulevard", "canal", "channel", "court", "crescent", "drive", "highway", "railway line", "river", "road", "street", or "terrace" signifies the centre line of the features so named unless otherwise described.

Where county, territorial district or township areas are named for inclusion in an electoral district, it is intended that the whole of any city, separated town, town, village, improvement district and Indian reserve situated within such areas be included unless otherwise provided.

Where "townships" named and described for inclusion in an electoral district lie within a territorial district, it is intended that such townships refer to "geographic townships" as named and described in *The Territorial Division Act* in the Revised Statutes of Ontario, 1960, unless otherwise described.

## ELECTORAL DISTRICTS

THE ELECTORAL DISTRICT OF ALGOMA—consists of that portion of the Territorial District of Algoma lying within the following limits: Commencing at the intersection of the easterly boundary of the Township of Striker and the waters of the North Channel of Lake Huron; thence northerly along the easterly boundaries of the townships of Striker and Mack to the northwest angle of the Township of Mack; thence westerly along the northerly boundary of the Township of Mack to the southeast angle of Township 161; thence northerly along the easterly boundaries of townships 161, 162 and 163 to the northeast angle of Township 163; thence easterly along the southerly boundaries of townships 1A, U, Q, M, I, E and A to the easterly boundary of the Territorial District of Algoma; thence northerly, westerly and southerly along the boundary of the Territorial District of Algoma to the International Boundary between Canada and the United States of America; thence southeasterly along the said International Boundary to the westerly prolongation of the southerly boundary of the Township of Prince; thence easterly along the said prolongation and the southerly boundary of the Township of Prince to the southeast angle of the said township; thence northerly along the easterly boundary of the Township of Prince to the northeast angle thereof; thence easterly along the southerly boundaries of the townships of Pennefather and Aweres to the westerly boundary of the Township of Duncan; thence southerly along the westerly boundary of the Township of Duncan, the easterly limit of the City of Sault Ste. Marie and the southerly prolongation of the said limit to the International Boundary between Canada and the United States of America; thence easterly and southeasterly along the said International Boundary to its intersection with the boundary between the Territorial Districts of Algoma and Manitoulin; thence easterly along the last-mentioned boundary to the southerly prolongation of the easterly boundary of the Township of Striker; thence northerly along the said prolongation to the point of commencement; the towns of Blind River, Bruce Mines and Thessalon, and the Village of Iron Bridge.

THE ELECTORAL DISTRICT OF ALGOMA-MANITOULIN—consists of the Territorial District of Manitoulin and those portions of the Territorial Districts of Algoma and Sudbury lying within the following limits: Commencing at the intersection of the southerly boundary of the Territorial District of Sudbury and the easterly boundary of the Township of Curtin; thence northerly along the easterly boundaries of the townships of Curtin and Foster to the northeast angle of the Township of Foster; thence westerly along the northerly boundaries of the townships of Foster, Merritt, Hallam and May to the northwest angle of the Township of May; thence northerly along the easterly boundaries of the Township of Tennyson and townships 123, 124 and 125 to the northeast angle of Township 125; thence westerly along the northerly boundaries of townships 125, 132, 139, 145, 151 and 157 to the northwest angle of Township 157; thence southerly along the westerly boundaries of townships 157, 156 and 155 to the southwest angle of Township 155; thence easterly along the southerly boundary of Township 155 to the northwest angle of the Township of McGiverin; thence southerly along the westerly boundaries of the townships of McGiverin and Long and the southerly prolongation of the westerly boundary of the Township of Long to the southerly boundary of the Territorial District of Algoma; thence easterly along the

southerly

southerly boundaries of the Territorial Districts of Algoma and Sudbury to the point of commencement; the towns of Espanola, Gore Bay, Little Current, Massey and Webbwood, and the Improvement District of Elliot Lake.

**THE ELECTORAL DISTRICT OF BRANT**—consists of the townships of Blenheim, Burford, Onondaga, South Dumfries, Townsend, Tuscarora and Windham, and the towns of Paris and Waterford.

**THE ELECTORAL DISTRICT OF BRANTFORD**—consists of the townships of Brantford and Oakland, and the City of Brantford.

**THE ELECTORAL DISTRICT OF CARLETON**—consists of the townships of Fitzroy, Goulbourn, Huntley, March, Marlborough, Nepean, North Gower and Torbolton, and the villages of Richmond and Stittsville.

**THE ELECTORAL DISTRICT OF CARLETON EAST**—consists of the townships of Gloucester and Osgoode, the Village of Rockcliffe Park and that portion of the City of Ottawa lying northeast of a line described as follows: Commencing at the intersection of the Interprovincial Boundary between the provinces of Ontario and Quebec and the westerly prolongation of Rideau Gate; thence easterly along the said prolongation to Sussex Drive; thence easterly along Sussex Drive to the limits of the Village of Rockcliffe Park; thence easterly, northerly, southerly and westerly along the limits of the Village of Rockcliffe Park to the northerly limit of the City of Eastview; thence easterly, southerly and westerly along the limits of the City of Eastview to the centre line of the Rideau River; thence southerly along the centre line of the Rideau River to the Queensway; thence easterly along the Queensway to Belfast Road; thence southerly along Belfast Road to Tremblay Road; thence easterly along Tremblay Road to Avenue "R"; thence southerly along Avenue "R" to the Canadian Pacific Railway line; thence easterly along the said railway line to St. Laurent Boulevard; thence southerly along St. Laurent Boulevard to Russell Road; thence south-westerly along Russell Road to Walkley Road; thence easterly along Walkley Road to the easterly limit of the City of Ottawa.

**THE ELECTORAL DISTRICT OF CHATHAM-KENT**—consists of the townships of Chatham and Dover, the City of Chatham, and the Town of Wallaceburg.

**THE ELECTORAL DISTRICT OF COCHRANE NORTH**—consists of that portion of the Territorial District of Cochrane lying north and west of a line described as follows: Commencing at the intersection of the Interprovincial Boundary between the Provinces of Ontario and Quebec and the southerly shore of Lake Abitibi; thence northwesterly along the water's edge of Lake Abitibi to the southerly boundary of the Township of Galna; thence westerly along the southerly boundaries of the townships of Galna, Moody, Wesley, Edwards and Aurora to the southwest angle of the Township of Aurora; thence southerly along the easterly boundaries of the townships of McCart and Dundonald to the southeast angle of the Township of Dundonald; thence westerly along the southerly boundaries of the townships of Dundonald, Evelyn, Gowan, Wark, Kidd, Macdiarmid, Loveland and Byers to the southwest angle of the Township of Byers; thence southerly along the easterly boundaries of the townships of Fortune and Enid to the southerly boundary of the Territorial District of Cochrane, and that portion of the Territorial District of Kenora (Patricia Portion) lying east of a line described as follows: Commencing at the northwest angle of the Territorial District of Cochrane; thence northerly along the northerly prolongation of the westerly boundary

of the Territorial District of Cochrane to the northerly limit of the Province of Ontario, and the towns of Cochrane, Hearst and Smooth Rock Falls.

**THE ELECTORAL DISTRICT OF COCHRANE SOUTH**—consists of that portion of the Territorial District of Cochrane lying south of a line described as follows: Commencing at the intersection of the Interprovincial Boundary between the provinces of Ontario and Quebec and the southerly shore of Lake Abitibi; thence northwesterly along the water's edge of Lake Abitibi to the northerly boundary of the Township of Kerr; thence westerly along the northerly boundaries of the townships of Kerr, Knox, Rickard, Teefy and Calvert to the northwest angle of the Township of Calvert; thence southerly along the westerly boundaries of the townships of Calvert and Clergue to the southwest angle of the Township of Clergue; thence westerly along the northerly boundaries of the townships of German, Matheson, Hoyle, Murphy, Jessop, Jamieson, Robb and Côté to the northwest angle of the Township of Côté; thence southerly along the westerly boundaries of the townships of Côté and Massey to the southerly boundary of the Territorial District of Cochrane, and the towns of Iroquois Falls, Matheson and Timmins.

**THE ELECTORAL DISTRICT OF DUFFERIN-SIMCOE**—consists of the townships of Adjala, Essa, Mono, Mulmur, Nottawasaga, Tecumseth, and Tosoronto, the towns of Alliston, Collingwood, Stayner and Orangeville, and the villages of Beeton, Creemore, and Tottenham.

**THE ELECTORAL DISTRICT OF DURHAM**—consists of the County of Durham, the towns of Bowmanville and Port Hope, and the villages of Millbrook and Newcastle.

**THE ELECTORAL DISTRICT OF ELGIN**—consists of the townships of Bayham, Houghton, Malahide, Middleton, South Dorchester, Southwold and Yarmouth; the City of St. Thomas; the towns of Aylmer and Delhi, and the villages of Belmont, Port Burwell, Port Stanley, Springfield and Vienna.

**THE ELECTORAL DISTRICT OF ESSEX-KENT**—consists of the townships of Maidstone, Raleigh, Rochester, Romney, Tilbury East, Tilbury North and Tilbury West, the towns of Essex and Tilbury, and the villages of Belle River, St. Clair Beach and Wheatley.

**THE ELECTORAL DISTRICT OF ESSEX SOUTH**—consists of the townships Anderdon, Colchester North, Colchester South, Gosfield North, Gosfield South, Malden, Mersea and Pelee including any islands forming part thereof, and the towns of Amherstburg, Harrow, Kingsville and Leamington.

**THE ELECTORAL DISTRICT OF FORT WILLIAM**—consists of that portion of the Territorial District of Thunder Bay lying south and east of a line described as follows: Commencing at the intersection of the centre line of Thunder Bay of Lake Superior and the easterly prolongation of the northerly limit of the City of Fort William; thence westerly along the said prolongation, the northerly limit of the City of Fort William and the northerly boundaries of the townships of Neebing and Paipoonge to the northwest angle of the Township of Paipoonge; thence northerly along the easterly boundary of the Township of O'Connor to the northeast angle of the said township; thence along the northerly boundaries of the townships of O'Connor and Marks to the northwest angle of the Township of Marks; thence southerly along the westerly boundaries of the townships of Marks, Lybster, Fraleigh and Devon to the intersection of the westerly boundary of the Township of Devon to the International Boundary between Canada and the United States of America, and the City of Fort William.



**THE ELECTORAL DISTRICT OF FRONTENAC-ADDINGTON**—consists of the townships of Abinger, Anglesea, Ashby, Barrie, Bedford, Camden [East], Clarendon, Denbigh, Effingham, Hinchinbrooke, Kaladar, Kennebec, Kingston, Loughborough, Miller, North Canonto, Olden, Oso, Palmerston, Pittsburgh, Portland, Sheffield, South Canonto and Storrington, and the Village of Newburgh.

**THE ELECTORAL DISTRICT OF GLENGARRY**—consists of the townships of Charlottenburgh, East Hawkesbury, Finch, Kenyon, Lancaster, Lochiel, Roxborough and that portion of the Township of West Hawkesbury lying southwest of a line described as follows: Commencing at the intersection of the westerly boundary of the Township of West Hawkesbury and the road between concessions 2 and 3; thence easterly along the said road to the easterly boundary of the Township of West Hawkesbury, the towns of Alexandria and Vankleek Hill, and the villages of Finch, Lancaster and Maxville.

**THE ELECTORAL DISTRICT OF GRENVILLE-DUNDAS**—consists of the counties of Dundas and Grenville, the Separated Town of Prescott, the Town of Kemptville, and the villages of Cardinal, Chesterville, Iroquois, Merrickville, Morrisburg and Winchester.

**THE ELECTORAL DISTRICT OF GREY-BRUCE**—consists of the townships of Albemarle, Amabel, Arran, Brant, Derby, Eastnor, Elderslie, Keppel, Lindsay, St. Edmunds, Sarawak, Saugeen, Sullivan, Sydenham, and the adjacent islands in Lake Huron and Georgian Bay of Lake Huron, the City of Owen Sound, the towns of Chesley, Port Elgin, Southampton, Walkerton and Wiarton, and the villages of Hepworth, Lion's Head, Paisley, Shallow Lake and Tara.

**THE ELECTORAL DISTRICT OF GREY SOUTH**—consists of the townships of Artemesia, Bentinck, Collingwood, Egremont, Euphrasia, Glenelg, Holland, Normanby, Osprey, Proton and St. Vincent, the towns of Durham, Hanover, Meaford and Thornbury, and the villages of Chatsworth, Dundalk, Flesherton, Markdale and Neustadt.

**THE ELECTORAL DISTRICT OF HALDIMAND-NORFOLK**—consists of the townships of Canborough, Charlotteville, Dunn, Moulton, North Cayuga, North Walsingham, Oneida, Rainham, Seneca, Sherbrooke, South Cayuga, South Walsingham, Walpole, and Woodhouse, the towns of Caledonia, Dunnville, Port Dover and Simcoe, and the villages of Cayuga, Hagersville, Jarvis and Port Rowan.

**THE ELECTORAL DISTRICT OF HALTON EAST**—consists of that portion of the Township of Esquesing lying south of a line described as follows: Commencing at the intersection of the westerly boundary of the Township of Esquesing and the line between lots 22 and 23 in Concession 1; thence easterly along the line between lots 22 and 23 in each concession to the intersection of the said line and the easterly boundary of the Township of Esquesing, and the towns of Georgetown, Milton and Oakville.

**THE ELECTORAL DISTRICT OF HALTON WEST**—consists of the Township of Nassagawaya and that portion of the Township of Esquesing lying north of a line described as follows: Commencing at the intersection of the westerly boundary of the Township of Esquesing and the line between lots 22 and 23 in Concession 1; thence easterly along the line between lots 22 and 23 in each concession to the intersection of the said line and the easterly boundary of the Township of Esquesing, and the towns of Acton and Burlington.



THE ELECTORAL DISTRICT OF HAMILTON CENTRE—consists of that portion of the City of Hamilton lying within the following limits: Commencing at the intersection of Main Street and Ottawa Street; thence northerly along Ottawa Street and its northerly prolongation to the centre line of Hamilton Harbour; thence southwesterly along the centre line of Hamilton Harbour to its intersection with the northerly prolongation of Wellington Street; thence southerly along the said prolongation and Wellington Street to Wilson Street; thence westerly along Wilson Street to Mary Street; thence southerly along Mary Street to King Street; thence westerly along King Street to James Street; thence southerly along James Street and southwesterly on James Street Mountain Road to the brow of Hamilton Mountain; thence easterly along the brow of Hamilton Mountain to the southerly prolongation of Sherman Avenue; thence northerly along the said prolongation and Sherman Avenue to Main Street; thence easterly along Main Street to the point of commencement.

THE ELECTORAL DISTRICT OF HAMILTON EAST—consists of that portion of the City of Hamilton lying within the following limits: Commencing at the intersection of Ottawa Street and Main Street; thence westerly along Main Street to Sherman Avenue; thence southerly along Sherman Avenue and its southerly prolongation to the brow of Hamilton Mountain; thence easterly and southeasterly along the brow of Hamilton Mountain to the easterly prolongation of Mohawk Road; thence westerly along the said prolongation and Mohawk Road to the westerly boundary of King's Forest Park; thence southerly and easterly along the westerly and southerly boundary of King's Forest Park to Mud Street; thence easterly along Mud Street to Albion Road; thence northerly along Albion Road to King Street; thence easterly along King Street to Pottruff Road; thence northeasterly along Pottruff Road to Barton Street; thence easterly along Barton Street to Nash Road; thence northerly along Nash Road and its northerly prolongation to the water's edge of Lake Ontario; thence northwesterly along the shore of Lake Ontario to the northerly limit of the City of Hamilton; thence southwesterly along the northerly limit of the City of Hamilton to its intersection with the northerly prolongation of Wellington Street; thence northeasterly along the centre line of Hamilton Harbour to its intersection with the northerly prolongation of Ottawa Street; thence southerly along the last-mentioned prolongation and Ottawa Street to the point of commencement.

THE ELECTORAL DISTRICT OF HAMILTON MOUNTAIN—consists of that portion of the City of Hamilton lying within the following limits: Commencing at the intersection of the westerly limit of the City of Hamilton and Mohawk Road; thence easterly along Mohawk Road and the easterly prolongation of Mohawk Road to the brow of Hamilton Mountain; thence northwesterly and westerly along the brow of Hamilton Mountain to the westerly limit of the City of Hamilton; thence southeasterly along the said limit to the point of commencement.

THE ELECTORAL DISTRICT OF HAMILTON WEST—consists of that portion of the City of Hamilton lying within the following limits: Commencing at the intersection of James Street and King Street; thence easterly along King Street to Mary Street; thence northerly on Mary Street to Wilson Street; thence easterly on Wilson Street to Wellington Street; thence northerly along Wellington Street and the northerly prolongation of Wellington Street to the northerly limit of the City of Hamilton; thence westerly, southwesterly, southerly and easterly along the limits of the City of Hamilton to the

brow of Hamilton Mountain; thence easterly along the brow of Hamilton Mountain to James Street Mountain Road; thence northeasterly along James Street Mountain Road and northerly along James Street to the point of commencement.

**THE ELECTORAL DISTRICT OF HASTINGS**—consists of that portion of the County of Hastings lying east and north of a line described as follows: Commencing at the intersection of the centre line of the Bay of Quinte, Lake Ontario and the southerly prolongation of the easterly limits of the City of Belleville; thence northerly along the said prolongation to the water's edge of the Bay of Quinte; thence northerly and westerly along the limits of the City of Belleville to the westerly boundary of the Township of Thurlow; thence northerly along the westerly boundary of the Township of Thurlow to the northwest angle thereof; thence westerly along the southerly boundary of the Township of Rawdon to the westerly boundary of the County of Hastings, the Town of Deseronto, and the villages of Bancroft, Deloro, Madoc, Marmora, Stirling and Tweed.

**THE ELECTORAL DISTRICT OF HURON**—consists of the townships of Goderich, Hay, Hullett, McKillop, Stanley, Stephen, Tuckersmith and Usborne, the towns of Clinton, Exeter, Goderich and Seaforth, and the villages of Bayfield, Hensall and Zurich.

**THE ELECTORAL DISTRICT OF HURON-BRUCE**—consists of the townships of Ashfield, Bruce, Carrick, Colborne, Culross, East Wawanosh, Greenock, Grey, Howick, Huron, Kincardine, Kincross, Morris, Turnberry and West Wawanosh, the towns of Kincardine and Wingham, and the villages of Blyth, Brussels, Lucknow, Mildmay and Teeswater.

**THE ELECTORAL DISTRICT OF KENORA**—consists of that portion of the Territorial District of Kenora and the Patricia Portion lying north and west of a line described as follows: Commencing at the intersection of the International Boundary between Canada and the United States of America and the 4th Base Line; thence easterly along the 4th Base Line to the 6th Meridian Line; thence north along the 6th Meridian Line to the southwest angle of the Township of Wainwright; thence easterly along the southerly boundary of the said township to the westerly boundary to the Township of Zealand; thence southerly along the westerly boundary of the said township to the line between concessions 6 and 7 in the Township of Zealand; thence easterly along the said line to the southwest angle of the Township of Brownridge; thence easterly along the southerly boundaries of the townships of Brownridge, Laval and McAree to the southeast angle of the Township of McAree; thence easterly along a line surveyed by Ontario Land Surveyors Phillips and Benner in 1932 to the easterly boundary of the Territorial District of Kenora; thence northerly along the easterly boundary of the Territorial District of Kenora to the centre line of Lake St. Joseph; thence northerly along the 3rd Meridian Line and its prolongation northerly to the Inter-provincial Boundary between the Provinces of Ontario and Manitoba, the towns of Dryden, Keewatin, Kenora and Sioux Lookout, and the improvement districts of Balmertown and Sioux Narrows.

**THE ELECTORAL DISTRICT OF KENT**—consists of the townships of Aldborough, Camden, Dunwich, Harwich, Howard, Orford and Zone, the towns of Blenheim, Bothwell, Dresden and Ridgetown, and the villages of Dutton, Erieau, Erie Beach, Highgate, Rodney, Thamesville and West Lorne.

**THE ELECTORAL DISTRICT OF KINGSTON AND THE ISLANDS**—consists of the townships of Amherst Island, Howe Island and Wolfe Island, the City of Kingston, and the islands in the St. Lawrence River within the County of Frontenac.

**THE ELECTORAL DISTRICT OF KITCHENER**—consists of that portion of the City of Kitchener lying within the following limits: Commencing at the intersection of the northerly limit of the City of Kitchener and Margaret Avenue; thence southeasterly along Margaret Avenue to the Canadian National Railway line; thence easterly along the said railway line to the easterly limit of the City of Kitchener; thence southerly, westerly, northerly and easterly along the limits of the City of Kitchener to the point of commencement.

**THE ELECTORAL DISTRICT OF LAMBTON**—consists of that portion of the County of Lambton lying east and south of a line described as follows: Commencing at the intersection of the westerly boundary of the County of Lambton and the northerly boundary of the Township of Moore; thence easterly along the northerly boundary of the Township of Moore to the northeast angle thereof; thence northerly along the westerly boundaries of the townships of Enniskillen and Plympton to the water's edge of Lake Huron, the towns of Forest and Petrolia, and the villages of Alvinston, Arkona, Courttright, Grand Bend, Oil Springs, Thedford, Watford and Wyoming.

**THE ELECTORAL DISTRICT OF LANARK**—consists of the County of Lanark including the Separated Town of Smith's Falls, the towns of Almonte, Carleton Place and Perth, and the Village of Lanark.

**THE ELECTORAL DISTRICT OF LEEDS**—consists of the County of Leeds, the City of Brockville, the Separated Town of Gananoque and the villages of Athens, Newboro' and Westport.

**THE ELECTORAL DISTRICT OF LINCOLN**—consists of the County of Lincoln, that portion of the City of St. Catharines lying south of a line described as follows: Commencing at the intersection of the westerly limit of the City of St. Catharines and the Canadian National Railway line; thence southeasterly along the said railway line to Glendale Avenue; thence northeasterly along Glendale Avenue to the easterly limit of the City of St. Catharines, and the towns of Beamsville, Grimsby and Niagara.

**THE ELECTORAL DISTRICT OF LONDON NORTH**—consists of that portion of the City of London lying within the following limits: Commencing at the intersection of the centre line of the Thames River and the southerly prolongation of Highbury Avenue; thence northerly along the said prolongation and Highbury Avenue to the Canadian National Railway line; thence northeasterly along the said railway line to Dundas Street; thence westerly along Dundas Street to Ashland Avenue; thence northerly along Ashland Avenue to the Canadian Pacific Railway line; thence northwesterly along the Canadian Pacific Railway line to Curry Street; thence northerly along Curry Street to Oxford Street; thence easterly along Oxford Street to Highbury Avenue; thence northerly along Highbury Avenue to the northerly limit of the City of London; thence westerly along the northerly limit of the City of London to the centre line of the Medway River; thence southerly and easterly along the centre line of the Medway River to the centre line of the North Thames River; thence southerly along the centre line of the North Thames River to the centre line of the Thames River; thence easterly along the centre line of the Thames River to the point of commencement.



**THE ELECTORAL DISTRICT OF LONDON SOUTH**—consists of that portion of the City of London lying south and west of a line described as follows: Commencing at the intersection of the centre line of the Medway River and the northerly limit of the City of London; thence southerly and easterly along the centre line of the Medway River to the centre line of the North Thames River; thence southerly along the centre line of the North Thames River to the centre line of the Thames River; thence easterly along the centre line of the Thames River to its intersection with the easterly limit of the City of London.

**THE ELECTORAL DISTRICT OF MIDDLESEX NORTH**—consists of the townships of Biddulph, East Williams, Lobo, London, McGillivray, West Nissouri, West Williams and that portion of the City of London lying east and north of a line described as follows: Commencing at the intersection of the northerly limit of the City of London and Highbury Avenue; thence southerly along Highbury Avenue to Oxford Street; thence westerly along Oxford Street to Curry Street; thence southerly along Curry Street to the Canadian Pacific Railway line; thence southeasterly along the said railway line to Ashland Avenue; thence southerly along Ashland Avenue to Dundas Street; thence easterly along Dundas Street to its intersection with the easterly limit of the City of London, the Town of Parkhill, and the villages of Ailsa Craig and Lucan.

**THE ELECTORAL DISTRICT OF MIDDLESEX SOUTH**—consists of the townships of Adelaide, Caradoc, Delaware, Ekfrid, Metcalfe, Mosa, North Dorchester and Westminster, that portion of the City of London lying south of a line described as follows: Commencing at the intersection of Dundas Street and the easterly limit of the City of London; thence westerly along Dundas Street to the Canadian National Railway line; thence southwesterly along the said railway line to Highbury Avenue; thence southerly along Highbury Avenue and the southerly prolongation of Highbury Avenue to the centre line of the Thames River, the Town of Strathroy, and the villages of Glencoe, Newbury and Wardsville.

**THE ELECTORAL DISTRICT OF MUSKOKA**—consists of the Territorial District of Muskoka except the Township of Baxter, and to include the towns of Bala, Bracebridge, Gravenhurst and Huntsville, and the villages of Port Carling, Port Sydney and Windermere.

**THE ELECTORAL DISTRICT OF NIAGARA FALLS**—consists of the Township of Willoughby, the City of Niagara Falls, and the Village of Chippawa.

**THE ELECTORAL DISTRICT OF NICKEL BELT**—consists of that portion of the Territorial District of Sudbury lying north and west of a line described as follows: Commencing at the intersection of the easterly boundary of the Territorial District of Sudbury and the southerly boundary of the Township of Janes; thence westerly along the southerly boundaries of the townships of Janes, Davis, Scadding and MacLennan to the southwest angle of the Township of MacLennan; thence northerly along the westerly boundary of the Township of MacLennan to the southeast angle of the Township of Norman; thence westerly along the southerly boundaries of the townships of Norman and Wisner to the southwest angle of the Township of Wisner; thence southerly along the easterly boundaries of the townships of Lumsden, Rayside, Snider, Waters, Eden, Bevin and Sale to the southerly boundary of the Territorial District of Sudbury; thence westerly along the said boundary to the southwest angle of the Township of Roosevelt; thence northerly along the westerly boundaries of the townships of Roosevelt and Truman to the northwest angle of the Township of Truman; thence westerly along the southerly bound-

daries of the townships of Nairn, Baldwin, Shakespeare and Gough to the westerly boundary of the Territorial District of Sudbury, and the towns of Chelmsford, Levack and Lively.

**THE ELECTORAL DISTRICT OF NIPISSING**—consists of that portion of the Territorial District of Nipissing lying north of a line described as follows: Commencing at the intersection of the Interprovincial Boundary between the Provinces of Ontario and Quebec and the northerly boundary of the Township of Mattawan; thence westerly and southerly along the northerly and westerly boundaries of the said township to the southwest angle thereof; thence westerly along the southerly boundaries of the townships of Olrig, Phelps and Widdfield to the northeast angle of the Township of West Ferris; thence southerly and westerly along the easterly and southerly boundaries of the said township to the southerly boundary of the Territorial District of Nipissing, the City of North Bay, and the towns of Cache Bay and Sturgeon Falls.

**THE ELECTORAL DISTRICT OF NORTHUMBERLAND**—consists of the County of Northumberland, excluding that portion lying within the Town of Trenton, but including the towns of Campbellford and Cobourg, and the villages of Brighton, Colborne and Hastings.

**THE ELECTORAL DISTRICT OF ONTARIO**—consists of the townships of Brock, Georgina, Mara, North Gwillimbury, Rama, Reach, Scott, Scugog, Thorah and Uxbridge, the Town of Uxbridge, and the villages of Beaverton, Cannington, Port Perry and Sutton.

**THE ELECTORAL DISTRICT OF ONTARIO SOUTH**—consists of the townships of East Whitby, Pickering and Whitby, the towns of Ajax and Whitby, and the Village of Pickering.

**THE ELECTORAL DISTRICT OF OSHAWA**—consists of the City of Oshawa.

**THE ELECTORAL DISTRICT OF OTTAWA CENTRE**—consists of that portion of the City of Ottawa lying within the following limits: Commencing at the intersection of the northerly prolongation of the centre line of the Rideau Canal with the Interprovincial Boundary; thence westerly along the said Interprovincial Boundary to the northerly prolongation of Parkdale Avenue; thence southerly along the said prolongation and Parkdale Avenue to Wellington Street; thence westerly along Wellington Street to Holland Avenue; thence southerly along Holland Avenue to the Queensway; thence southwesterly along the Queensway to Kirkwood Avenue; thence southerly along Kirkwood Avenue to Carling Avenue; thence easterly along Carling Avenue to Bronson Avenue; thence northerly along Bronson Avenue to the Queensway; thence easterly along the Queensway to the centre line of the Rideau Canal; thence northeasterly and northerly along the centre line of the Rideau Canal and the northerly prolongation of the centre line of the Rideau Canal to the point of commencement.

**THE ELECTORAL DISTRICT OF OTTAWA EAST**—consists of the City of Eastview and that portion of the City of Ottawa lying within the following limits: Commencing at the intersection of the Interprovincial Boundary between the Provinces of Ontario and Quebec and the northerly prolongation of the centre line of the Rideau Canal; thence southerly and southeasterly along the said prolongation and the centre line of the Rideau Canal to the westerly prolongation of Mann Avenue; thence easterly along the said prolongation of Mann Avenue to the centre line of the Rideau River; thence northerly along the centre line of the Rideau River to the northwest angle of the limits of the City of Eastview; thence easterly along the northerly limit of the City of Eastview to the southwest angle of the limits of the Village of Rockcliffe Park; thence northerly and westerly along the limits of the Village of



Rockcliffe Park to Sussex Drive; thence westerly along Sussex Drive to Rideau Gate; thence westerly along the westerly prolongation of Rideau Gate to the Interprovincial Boundary between the Provinces of Ontario and Quebec; thence southeasterly along the said Interprovincial Boundary to the point of commencement.

THE ELECTORAL DISTRICT OF OTTAWA SOUTH—consists of that portion of the City of Ottawa lying west and south of a line described as follows: Commencing at the intersection of the easterly limit of the City of Ottawa and Walkley Road; thence westerly along Walkley Road to Russell Road; thence north-westerly along Russell Road to St. Laurent Boulevard; thence northerly along St. Laurent Boulevard to the Canadian Pacific Railway line; thence northwesterly along the said railway line to Avenue "R"; thence northerly along Avenue "R" to Tremblay Road; thence westerly along Tremblay Road to Belfast Road; thence northerly along Belfast Road to the Queensway; thence westerly along the Queensway to the centre line of the Rideau River; thence northerly along the centre line of the Rideau River to the easterly prolongation of Mann Avenue; thence westerly along Mann Avenue and the westerly prolongation of Mann Avenue to the centre line of the Rideau Canal; thence southwestwardly along the centre line of the Rideau Canal to the Queensway; thence westerly along the Queensway to Bronson Avenue; thence southerly along Bronson Avenue to Carling Avenue; thence westerly along Carling Avenue to Fisher Avenue; thence southerly along Fisher Avenue to the easterly prolongation of the southerly limit of the City of Ottawa; thence westerly along the said prolongation to the westerly limit of the City of Ottawa.

THE ELECTORAL DISTRICT OF OTTAWA WEST—consists of that portion of the City of Ottawa lying west of a line described as follows: Commencing at the intersection of the westerly limit of the City of Ottawa and the southerly limit of the City of Ottawa west of Fisher Avenue; thence easterly along the easterly prolongation of the southerly limit of the City of Ottawa to Fisher Avenue; thence northerly along Fisher Avenue to Carling Avenue; thence westerly along Carling Avenue to Kirkwood Avenue; thence northerly along Kirkwood Avenue to the Queensway; thence northeasterly along the Queensway to Holland Avenue; thence northerly along Holland Avenue to Wellington Street; thence easterly along Wellington Street to Parkdale Avenue; thence northerly along Parkdale Avenue and the northerly prolongation of Parkdale Avenue to the Interprovincial Boundary between the Provinces of Ontario and Quebec.

THE ELECTORAL DISTRICT OF OXFORD—consists of the County of Oxford, excluding the Township of Blenheim, but including the City of Woodstock, the Separated Town of Ingersoll, the whole of the Town of Tillsonburg, and the villages of Beachville, Embro, Norwich and Tavistock.

THE ELECTORAL DISTRICT OF PARRY SOUND—consists of the Territorial District of Parry Sound and that portion of the Territorial District of Nipissing lying south and west of a line described as follows: Commencing at the intersection of the southerly boundary of the Territorial District of Nipissing and the southerly boundary of the Township of Sproule; thence easterly along the southerly boundary of the Township of Sproule to the southeast angle thereof; thence northerly along the easterly boundaries of the townships of Sproule, Bower, Freswick, Lister, Boyd and Papineau to the Interprovincial Boundary between the Provinces of Ontario and Quebec; thence northwesterly along the said Interprovincial Boundary to the northeast angle of the Township of Mat-tawan; thence westerly and southerly along the northerly

and

and westerly boundaries of the said Township to the southwest angle of the Township of Mattawan; thence westerly along the northerly boundaries of the townships of Calvin, Bonfield and East Ferris to the northwesterly angle of the Township of East Ferris; thence southerly and westerly along the westerly boundary of the said Township to its intersection with the westerly boundary of the Territorial District of Nipissing, the towns of Bonfield, Kearney, Mattawa, Parry Sound, Powassan and Trout Creek, and the villages of Burk's Falls, Magnetawan, Rosseau, South River and Sundridge.

THE ELECTORAL DISTRICT OF PEEL NORTH—consists of the townships of Albion, Caledon, Chinguacousy, Toronto Gore and that portion of the Township of Toronto described as follows: Wards 4 and 5 and that portion of Ward 6 lying north of Dundas Street, the towns of Brampton and Streetsville, and the villages of Bolton and Caledon East.

THE ELECTORAL DISTRICT OF PEEL SOUTH—consists of that portion of the Township of Toronto described as follows: Wards 1, 2, 3 and 7 and that portion of Ward 6 lying south of Dundas Street, and the Town of Port Credit.

THE ELECTORAL DISTRICT OF PERTH—consists of the County of Perth, the City of Stratford, the Separated Town of St. Mary's, the towns of Listowel, Mitchell and Palmerston, and the Village of Milverton.

THE ELECTORAL DISTRICT OF PETERBOROUGH—consists of the County of Peterborough, the City of Peterborough, and the villages of Havelock, Lakefield and Norwood.

THE ELECTORAL DISTRICT OF PORT ARTHUR—consists of that portion of the Territorial District of Thunder Bay lying within the following limits: Commencing at the southwest angle of the Township of Adrian; thence easterly along the southerly boundaries of Adrian and Conmee to the southeast angle of the Township of Conmee; thence southerly along the westerly boundary of the Township of Oliver to the southwest angle of the said township; thence easterly along the southerly boundaries of the townships of Oliver and McIntyre, the southerly limit of the City of Port Arthur and the easterly prolongation of the said limit to its intersection with the centre line of Thunder Bay of Lake Superior; thence south astronomically to the International Boundary between Canada and the United States of America; thence northeasterly along the said International Boundary to a point due south of the centre line of Black Bay of Lake Superior; thence north astronomically to the centre line of the said Bay; thence northeasterly along the centre line of Black Bay to the easterly prolongation of the northerly boundary of the Township of McTavish, thence westerly along the said prolongation and the northerly boundary of the Township of McTavish to the northwest angle of the said township; thence southerly along the westerly boundary of the Township of McTavish to the northeast angle of the Township of MacGregor; thence westerly along the northerly boundary of the said township to the northeast angle thereof; thence northerly and westerly along the easterly and northerly boundaries of the Township of Gorham to the southeast angle of the Township of Jacques; thence northerly along the easterly boundary of the Township of Jacques to the northeast angle of the said township; thence westerly along the northerly boundaries of the townships of Jacques and Fowler to the northwest angle of the Township of Fowler; thence southerly along the westerly boundary of the Township of Fowler to the northerly boundary of the Township of Forbes; thence westerly along the northerly boundaries

of the townships of Forbes and Goldie to the northwest angle of the Township of Goldie; thence southerly along the westerly boundaries of the townships of Goldie, Horne and Adrian to the point of commencement, and the City of Port Arthur.

THE ELECTORAL DISTRICT OF PRESCOTT AND RUSSELL—consists of the County of Russell, the townships of Alfred, Caledonia, Longueuil, Plantagenet North, Plantagenet South and that portion of the Township of West Hawkesbury lying north-east of a line described as follows: Commencing at the intersection of the westerly boundary of the Township of West Hawkesbury and the road between concessions 2 and 3; thence easterly along the said road to the easterly boundary of the Township of West Hawkesbury, the towns of Hawkesbury and Rockland, and the villages of Alfred, Casselman, L'Orignal, Plantagenet and St. Isidore de Prescott.

THE ELECTORAL DISTRICT OF PRINCE EDWARD-LENNOX—consists of the County of Prince Edward, the townships of Adolphus-town, Ernestown, North Fredericksburgh, Richmond and South Fredericksburgh, the towns of Napanee and Picton, and the villages of Bath, Bloomfield and Wellington.

THE ELECTORAL DISTRICT OF QUINTE—consists of the Township of Sidney, the City of Belleville, the Separated Town of Trenton, and the Village of Frankford.

THE ELECTORAL DISTRICT OF RAINY RIVER—consists of the Territorial District of Rainy River and that portion of the Territorial District of Kenora lying south of a line described as follows: Commencing at the intersection of the International Boundary between Canada and the United States of America, and the 4th Base Line; thence easterly along the 4th Base Line to the 6th Meridian Line; thence northerly along the 6th Meridian Line to the northwest angle of the Township of Van Horne; thence easterly and southerly along the northerly and easterly boundaries of the said Township to the line between Concessions 6 and 7 in the Township of Zealand; thence easterly along the said line to the southwest angle of the Township of Brownridge; thence easterly along the northerly boundaries of the townships of Zealand, Hartman and MacFie to the northeast angle of the Township of MacFie; thence easterly along a line surveyed by Ontario Land Surveyors Phillips and Benner in 1932, to the easterly boundary of the Territorial District of Kenora, the towns of Fort Frances and Rainy River, and the improvement districts of Kingsford and Barclay.

THE ELECTORAL DISTRICT OF RENFREW NORTH—consists of that portion of the County of Renfrew lying north of a line described as follows: Commencing at the intersection of the Interprovincial Boundary between the Provinces of Ontario and Quebec and the southerly boundary of the Township of Ross; thence westerly and northerly along the southerly and westerly boundaries of the Township of Ross to the southeast angle of the Township of Bromley; thence westerly and northerly along the southerly and westerly boundaries of the Township of Bromley to the centre line of the Bonnechere River; thence northwesterly along the centre lines of the Bonnechere River and Golden Lake to the westerly boundary of the Township of North Algona; thence northerly along the westerly boundaries of the townships of North Algona and Fraser to the westerly boundary of the County of Renfrew; and that portion of the Territorial District of Nipissing lying east of a line described as follows: Commencing at the intersection of the southerly boundary of the Territorial District of Nipissing and the southerly boundary of the Township of Sproule; thence easterly along the

southerly



southerly boundary of the said Township of Sproule to the southeast angle thereof; thence northerly along the westerly boundaries of the townships of Preston, Dickson, Anglin, Deacon and Cameron to the Interprovincial Boundary between the Provinces of Ontario and Quebec, the towns of Deep River and Pembroke, and the villages of Beachburg, Chalk River and Petawawa.

THE ELECTORAL DISTRICT OF RENFREW SOUTH—consists of that portion of the County of Renfrew lying south of a line described as follows: Commencing at the intersection of the Interprovincial Boundary between the Province of Ontario and Quebec and the northerly boundary of the Township of Horton; thence westerly along the northerly boundary of the said township to the easterly boundary of the Township of Admaston; thence northerly along the easterly boundary of the said township to the northeast angle thereof; thence westerly along the northerly boundary of the Township of Admaston to the easterly boundary of the Township of Grattan; thence northerly along the easterly boundary of the said township to the centre line of the Bonnechere River; thence northwesterly along the centre lines of the Bonnechere River and Golden Lake to the easterly boundary of the Township of Hagarty; thence northerly along the easterly boundaries of the townships of Hagarty and Richards to the westerly boundary of the County of Renfrew, the towns of Arnprior and Renfrew, and the villages of Barry's Bay, Braeside, Eganville and Killaloe Station.

THE ELECTORAL DISTRICT OF ST. CATHARINES—consists of that portion of the City of St. Catharines lying north of a line described as follows: Commencing at the intersection of the westerly limit of the City of St. Catharines and the Canadian National Railway line; thence southeasterly along the said railway line to Glendale Avenue; thence northeasterly along Glendale Avenue to the easterly limit of the City of St. Catharines.

THE ELECTORAL DISTRICT OF SANDWICH-RIVERSIDE—consists of,

(a) those portions of the City of Windsor lying south and east of a line described as follows: Commencing at the intersection of the westerly prolongation of Chappus Street with the International Boundary between Canada and the United States of America; thence easterly along the said prolongation and continuing easterly along Chappus Street to Matchette Road; thence southerly along Matchette Road to Alberta Street; thence easterly along Alberta Street to Malden Road; thence southerly along Malden Road to the City limit; thence easterly following the City limit to Cabana Road; thence easterly along Cabana Road to Howard Avenue; thence northerly along Howard Avenue and continuing northerly along McDougall Street to the Canadian Pacific Railway line; thence easterly along the Canadian Pacific Railway line and continuing easterly along Grand Marais Road to Chrysler Center; thence northerly along Chrysler Center to Tecumseh Boulevard; thence easterly along Tecumseh Boulevard to the west side of Westminster Boulevard; thence northerly along the west side of Westminster Boulevard and continuing northerly along the prolongation thereof to the International Boundary between Canada and the United States of America, so that both sides of Westminster Boulevard are included;

(b) the townships of Sandwich South and Sandwich West and the Town of Tecumseh.

THE ELECTORAL DISTRICT OF SARNIA—consists of the Township of Sarnia, the City of Sarnia, and the Village of Point Edward.

THE ELECTORAL DISTRICT OF SAULT STE. MARIE—consists of the townships of Awenge, Korah, Parke and Tarentorus, and the City of Sault Ste. Marie.

THE ELECTORAL DISTRICT OF SIMCOE CENTRE—consists of the townships of Flos, Innisfil, Sunnidale, Tiny, Vespra, and West Gwillimbury, the City of Barrie, the towns of Bradford and Penetanguishene, and the villages of Elmvale and Wasaga Beach.

THE ELECTORAL DISTRICT OF SIMCOE EAST—consists of the townships of Baxter, Matchedash, Medonte, Orillia, Oro, and Tay, the towns of Midland and Orillia, and the villages of Coldwater, Port McNicoll and Victoria Harbour.

THE ELECTORAL DISTRICT OF STORMONT—consists of the townships of Cornwall and Osnabruck, and the City of Cornwall.

THE ELECTORAL DISTRICT OF SUDBURY—consists of that portion of the City of Sudbury lying north of a line described as follows: Commencing at the intersection of the easterly limit of the City of Sudbury and the Trans-Canada Highway (Highway No. 17); thence westerly along the said highway to the northerly prolongation of Wessex Street; thence southerly along the said prolongation, Wessex Street and the southerly prolongation of Wessex Street to the water's edge of Ramsey Lake; thence southwesterly along the shore of Ramsey Lake to the centre line of Lily Creek; thence southwesterly along the centre line of Lily Creek to the intersection of the centre line of Lily Creek and Martindale Road; thence westerly in a straight line to the intersection of Kelley Lake Road and the centre line of Junction Creek; thence northwesterly along the centre line of Junction Creek to the westerly limit of the City of Sudbury.

THE ELECTORAL DISTRICT OF SUDBURY EAST—consists of that portion of the Territorial District of Sudbury lying south and east of a line described as follows: Commencing at the intersection of the easterly boundary of the Territorial District of Sudbury and the northerly boundary of the Township of Henry; thence westerly along the northerly boundaries of the townships of Henry, Loughrin, Street and Falconbridge to the northwest angle of the Township of Falconbridge; thence northerly along the easterly boundary of the Township of Capreol to the northeast angle thereof; thence westerly along the northerly boundaries of the townships of Capreol and Hanmer to the northwest angle of the Township of Hanmer; thence southerly along the westerly boundaries of the townships of Hanmer and Blezard to the southwest angle of the Township of Blezard; thence easterly, southerly and westerly along the limits of the City of Sudbury to the southwest angle of the said limits; thence southerly along the westerly boundaries of the townships of Broder, Tilton, Halifax and Attlee to the southerly boundary of the Territorial District of Sudbury and including that portion of the City of Sudbury lying south of a line described as follows: Commencing at the intersection of the easterly limit of the City of Sudbury and the Trans-Canada Highway (Highway No. 17); thence westerly along the said highway to the northerly prolongation of Wessex Street; thence southerly along the said prolongation, Wessex Street and the southerly prolongation of Wessex Street to the water's edge of Ramsey Lake; thence southwesterly along the shore of Ramsey Lake to the centre line of Lily Creek; thence southwesterly along the centre line of Lily Creek to the intersection of Martindale Road; thence westerly in a straight line to the intersection of Kelley Lake Road and the centre line of Junction Creek; thence north-

westerly



westerly along the centre line of Junction Creek to the westerly limit of the City of Sudbury, and the towns of Capreol, Coniston and Copper Cliff.

**THE ELECTORAL DISTRICT OF THUNDER BAY**—consists of that portion of the Territorial District of Thunder Bay lying west, north and east of a line described as follows: Commencing at a point on the International Boundary between Canada and the United States of America due south of the centre line of Black Bay of Lake Superior; thence north astronomically to the centre line of the said Bay; thence northeasterly along the centre line of Black Bay to the intersection of the said centre line and the easterly prolongation of the northerly boundary of the Township of McTavish; thence westerly along the said prolongation and the northerly boundary of the Township of McTavish to the north west angle of the said township; thence southerly along the westerly boundary of the Township of McTavish to the northeast angle of the Township of MacGregor; thence westerly along the northerly boundary of the said township to the northwest angle thereof; thence northerly and westerly along the easterly and northerly boundaries of the Township of Gorham to the southeast angle of the Township of Jacques; thence northerly along the easterly boundary of the Township of Jacques to the northeast angle of the said township; thence westerly along the northerly boundaries of Jacques and Fowler to the northwest angle of the Township of Fowler; thence southerly along the westerly boundary of the Township of Fowler to the northerly boundary of the Township of Forbes; thence westerly along the northerly boundaries of the townships of Forbes and Goldie to the northwest angle of the Township of Goldie; thence southerly along the westerly boundaries of the townships of Goldie, Horne, Adrian, Marks, Lybster, Fraleigh and Devon to the International Boundary between Canada and the United States of America and that portion of the Territorial District of Kenora (Patricia Portion) lying between the northerly prolongations of the easterly and westerly boundaries of the Territorial District of Thunder Bay to the northern limits of the Province of Ontario, the Town of Geraldton, and the improvement districts of Beardmore, Dorion, Manitouwadge, Marathon, Nakina and Red Rock.

**THE ELECTORAL DISTRICT OF TIMISKAMING**—consists of the Territorial District of Timiskaming, and the towns of Charlton, Cobalt, Englehart, Haileybury, Latchford and New Liskeard.

**THE ELECTORAL DISTRICT OF VICTORIA-HALIBURTON**—consists of the County of Victoria and the Provisional County of Haliburton, the Town of Lindsay, the villages of Bobcaygeon, Fenelon Falls, Omemee, Sturgeon Point and Woodville, and the Improvement District of Bicroft.

**THE ELECTORAL DISTRICT OF WATERLOO NORTH**—consists of the townships of Wellesley, Wilmot, Woolwich and that portion of the Township of Waterloo lying northwest of a line described as follows: Commencing at the intersection of the easterly boundary of the Township of Waterloo and the road in Lot 91; thence westerly between lots 91 and 92 and through lots 89, 101, 127 and along the said road north of lots 32 and 17 to the road from Hagey Station; thence southerly along that road to the Grand River Railway line; thence easterly and southerly along the said railway line to the northerly limit of the Town of Preston; thence westerly, southerly, easterly and southerly along the limits of the Town of Preston to the southerly boundary of the Township of Waterloo, the City of Waterloo and that portion of the City of Kitchener lying northeast of a line described as follows: Commencing at the intersection of the northerly limit of the City of Kitchener and Margaret Avenue; thence southeasterly along Margaret Avenue to the Canadian

National Railway line; thence easterly along the said railway line to the easterly limit of the City of Kitchener; the Town of Elmira, and the villages of Bridgeport, New Hamburg and Wellesley.

**THE ELECTORAL DISTRICT OF WATERLOO SOUTH**—consists of the Township of North Dumfries and that portion of the Township of Waterloo lying southeast of a line described as follows: Commencing at the intersection of the easterly boundary of the Township of Waterloo and the road in Lot 91; thence westerly between lots 91 and 92 and through lots 89, 101, 127, and along said road north of lots 32 and 17 to the road from Hagey Station; thence southerly along that road to the Grand River Railway line; thence easterly and southerly along the said railway line to the northerly limit of the Town of Preston; thence westerly, southerly, easterly and southerly along the limits of the Town of Preston to the southerly boundary of the Township of Waterloo, the City of Galt, the towns of Hespeler and Preston, and the Village of Ayr.

**THE ELECTORAL DISTRICT OF WELLAND**—consists of the townships of Crowland and Thorold, the City of Welland, the Town of Thorold, and the Village of Fonthill.

**THE ELECTORAL DISTRICT OF WELLAND SOUTH**—consists of the townships of Bertie, Humberstone, Pelham and Wainfleet, the towns of Fort Erie and Port Colborne, and the Village of Crystal Beach.

**THE ELECTORAL DISTRICT OF WELLINGTON-DUFFERIN**—consists of the townships of Amaranth, Arthur, East Garafraxa, East Luther, Eramosa, Erin, Maryborough, Melancthon, Minto, Peel, West Garafraxa and West Luther, the towns of Harriston and Mount Forest, and the villages of Arthur, Clifford, Drayton, Erin, Grand Valley and Shelburne.

**THE ELECTORAL DISTRICT OF WELLINGTON SOUTH**—consists of the townships of Guelph, Nichol, Pilkington and that part of the Township of Puslinch lying north of the Macdonald-Cartier Freeway (Highway 401), the City of Guelph, the Town of Fergus, and the Village of Elora.

**THE ELECTORAL DISTRICT OF WENTWORTH**—consists of the townships of Binbrook, Glanford, Saltfleet and that portion of the City of Hamilton lying south and east of a line described as follows: Commencing at the intersection of the westerly limit of the City of Hamilton and the Mohawk Road; thence easterly along Mohawk Road to the westerly boundary of King's Forest Park; thence southerly and easterly along the boundary of King's Forest Park to Mud Street; thence easterly along Mud Street to Albion Road; thence northerly along Albion Road to King Street; thence easterly along King Street to Pottruff Road; thence northeasterly along Pottruff Road to Barton Street; thence easterly along Barton Street to Nash Road; thence northerly along Nash Road and its northerly prolongation to the waters of Lake Ontario, the Town of Stoney Creek.

**THE ELECTORAL DISTRICT OF WENTWORTH NORTH**—consists of the townships of Ancaster, Beverly, East Flamborough, West Flamborough and that portion of the Township of Puslinch lying south of the Macdonald-Cartier Freeway (Highway 401), the Town of Dundas, and the Village of Waterdown.

**THE ELECTORAL DISTRICT OF WINDSOR-WALKERVILLE**—consists of that portion of the City of Windsor lying within the following limits: Commencing at the intersection of the prolongation of Ouellette Avenue with the International Boundary between Canada and the United States of America; thence southerly along said prolongation and Ouellette Avenue to

Wyandotte Street East; thence easterly along Wyandotte Street East to Mercer Street; thence southerly along Mercer Street to Elliott Street East; thence easterly along Elliott Street East to Howard Street; thence southerly along Howard Street to Giles Boulevard; thence westerly along Giles Boulevard to Dufferin Street; thence southerly along Dufferin Street to Tecumseh Boulevard East; thence easterly along Tecumseh Boulevard East to McDougall Street; thence southerly along McDougall Street to the Canadian Pacific Railway line; thence easterly along the Canadian Pacific Railway line and continuing easterly along Grand Marais Road to Chrysler Center; thence northerly along Chrysler Center to Tecumseh Boulevard East; thence easterly along Tecumseh Boulevard East to the west side of Westminster Boulevard; thence northerly along the west side of Westminster Boulevard and continuing northerly along the prolongation thereof to the International Boundary between Canada and the United States of America, so that both sides of Westminster Boulevard are excluded.

**THE ELECTORAL DISTRICT OF WINDSOR WEST**—consists of that portion of the City of Windsor lying within the following limits: Commencing at the intersection of the westerly prolongation of Chappus Street with the International Boundary between Canada and the United States of America; thence easterly along the said prolongation and Chappus Street to Matchette Road; thence southerly along Matchette Road to Alberta Street; thence easterly along Alberta Street to Malden Road; thence southerly along Malden Road to the City limit; thence easterly following the City limit to its intersection with Cabana Road; thence easterly along Cabana Road to Howard Avenue; thence northerly along Howard Avenue and continuing northerly along McDougall Street to Tecumseh Boulevard; thence westerly along Tecumseh Boulevard to Dufferin Street; thence northerly along Dufferin Street to Giles Boulevard; thence easterly along Giles Boulevard to Howard Street; thence northerly along Howard Street to Elliott Street East; thence westerly along Elliott Street East to Mercer Street; thence northerly along Mercer Street to Wyandotte Street; thence westerly along Wyandotte Street to Ouellette Avenue; thence northerly along Ouellette Avenue and the prolongation of Ouellette Avenue to its intersection with the International Boundary between Canada and the United States of America.

**THE ELECTORAL DISTRICT OF YORK CENTRE**—consists of the townships of Markham and Vaughan, the Town of Richmond Hill, and the villages of Markham and Woodbridge.

**THE ELECTORAL DISTRICT OF YORK NORTH**—consists of the townships of East Gwillimbury, King and Whitchurch, the towns of Aurora and Newmarket, and the Village of Stouffville.

***Metropolitan Toronto:***

**THE ELECTORAL DISTRICT OF ARMOURDALE**—consists of that portion of the Borough of North York lying between Bathurst Street and Yonge Street.

**THE ELECTORAL DISTRICT OF BEACHES-WOODBINE**—consists of that portion of the City of Toronto lying east of a line described as follows: Commencing at the intersection of the northerly limit of the City of Toronto and Coxwell Avenue; thence southerly along Coxwell Avenue to Danforth Avenue; thence westerly along Danforth Avenue to Rhodes Avenue; thence southerly along Rhodes Avenue to Queen Street East; thence easterly along Queen Street East to Coxwell Avenue; thence southerly along Coxwell Avenue and the southerly prolongation of Coxwell Avenue to the water's edge of Ashbridges Bay of Lake Ontario; thence southwesterly along the centre



line of Ashbridges Bay to the centre line of the channel known as Coatsworth Cut; thence along the centre line of the said channel to the main waters of Lake Ontario.

**THE ELECTORAL DISTRICT OF BELLWOODS**—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of the northerly limit of the City of Toronto and Alberta Avenue; thence southerly along Alberta Avenue to Davenport Road; thence easterly along Davenport Road to Ossington Avenue; thence southerly along Ossington Avenue to Bruce Street; thence easterly along Bruce Street to Givins Street; thence southerly along Givins Street to Queen Street West; thence easterly along Queen Street West to Shaw Street; thence southerly along Shaw Street and the southerly prolongation of Shaw Street to a point in Lake Ontario intersected by the southwesterly prolongation of the centre line of the channel known as the Western Gap; thence northeasterly along the said southwesterly prolongation and the centre line of the Western Gap to the intersection of the said centre line and the southerly prolongation of Tecumseth Street; thence northerly along the said southerly prolongation, Tecumseth Street and Palmerston Avenue to the Canadian Pacific Railway line; thence easterly along the said railway line to Bathurst Street; thence northerly along Bathurst Street to the northerly limit of the City of Toronto; thence westerly along the said limit to the point of commencement.

**THE ELECTORAL DISTRICT OF DON MILLS**—consists of,

- (a) that portion of the Borough of North York lying south of Lawrence Avenue East;
- (b) that portion of the Borough of East York lying east of a line described as follows: Commencing at the intersection of Woodbine Avenue and the north limit of the City of Toronto; thence northerly along Woodbine Avenue and continuing northerly along the prolongation of Woodbine Avenue to Woodbine Heights Boulevard; thence northerly along Woodbine Heights Boulevard and continuing northerly along the prolongation of Woodbine Heights Boulevard to the north boundary of the Borough of East York.

**THE ELECTORAL DISTRICT OF DOVERCOURT**—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of Alberta Avenue and the northerly limit of the City of Toronto; thence westerly along the northerly limit of the City of Toronto to Harvie Avenue; thence southerly along Harvie Avenue to St. Clair Avenue West; thence easterly along St. Clair Avenue West to Greenlaw Avenue; thence southerly on Greenlaw Avenue to Davenport Road; thence westerly along Davenport Road to Primrose Avenue; thence southerly along Primrose Avenue and Emerson Avenue to Wallace Avenue; thence easterly along Wallace Avenue to Brock Avenue; thence southerly on Brock Avenue to Bloor Street West; thence westerly along Bloor Street West to Brock Avenue; thence southerly along Brock Avenue to Queen Street West; thence easterly along Queen Street West to Elm Grove Avenue; thence southerly along Elm Grove Avenue to King Street West; thence westerly along King Street West to Spencer Avenue; thence southerly along Spencer Avenue and the southerly prolongation of Spencer Avenue to the waters of Lake Ontario; thence easterly along the shore of Lake Ontario to the intersection of the said lake shore and the southerly prolongation of Shaw Street; thence northerly along the said prolongation and Shaw Street to Queen

Street West; thence westerly along Queen Street West to Givins Street; thence northerly along Givins Street to Bruce Street; thence westerly along Bruce Street to Ossington Avenue; thence northerly along Ossington Avenue to Davenport Road; thence westerly along Davenport Road to Alberta Avenue; thence northerly along Alberta Avenue to the point of commencement.

THE ELECTORAL DISTRICT OF DOWNSVIEW—consists of that portion of the Borough of North York lying between Bathurst Street and Keele Street.

THE ELECTORAL DISTRICT OF EGLINTON—consists of that portion of the City of Toronto lying north and east of a line described as follows: Commencing at the intersection of the east limit of the City of Toronto and Davisville Avenue; thence westerly along Davisville Avenue to Yonge Street; thence southerly along Yonge Street to the Canadian National Railway line; thence westerly along the Canadian National Railway line to Oriole Parkway; thence northerly along Oriole Parkway to Chaplin Crescent; thence westerly along Chaplin Crescent to Avenue Road; thence northerly along Avenue Road to Hillhurst Boulevard; thence westerly along Hillhurst Boulevard to the westerly limit of the City of Toronto.

THE ELECTORAL DISTRICT OF ETOBICOKE—consists of that portion of the Borough of Etobicoke lying north of a line described as follows: Commencing at the intersection of the westerly boundary of the Borough of Etobicoke and Richview Side Road; thence easterly along Richview Side Road and continuing easterly along the easterly prolongation of said road to the easterly limit of the Borough of Etobicoke.

THE ELECTORAL DISTRICT OF HIGH PARK—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of the prolongation of Clendenan Avenue and the shore of Lake Ontario; thence northerly along said prolongation and Clendenan Avenue to Bloor Street West; thence westerly along Bloor Street West to the westerly limit of the City of Toronto; thence northerly and easterly following said city limit to its intersection with the Canadian National Railway line; thence southerly along said railway line to Dundas Street West; thence westerly along Dundas Street West to Sorauren Avenue; thence southerly along Sorauren Avenue and continuing southerly along Beaty Avenue to King Street West; thence easterly along King Street West to Dowling Avenue; thence southerly along Dowling Avenue and the prolongation of Dowling Avenue to the shore of Lake Ontario.

THE ELECTORAL DISTRICT OF HUMBER—consists of,

- (a) that portion of the Borough of Etobicoke lying south and east of a line described as follows: Commencing at the intersection of Bloor Street West and the easterly boundary of the Borough of Etobicoke; thence westerly along Bloor Street West to Prince Edward Drive; thence southerly along Prince Edward Drive to Sunnysdale Drive; thence westerly along Sunnysdale Drive and continuing westerly along the prolongation of Sunnysdale Drive to Royal York Road South; thence southerly along Royal York Road South to Queen Elizabeth Way; thence westerly along Queen Elizabeth Way to the northerly prolongation of St. George Street; thence southerly along said prolongation and St. George Street and continuing southerly along the southerly prolongation of St. George Street to



Dwight Avenue; thence southerly along Dwight Avenue and the southerly prolongation of Dwight Avenue to the shore of Lake Ontario;

- (b) that portion of the Borough of York lying south of a line described as follows: Commencing at the intersection of St. Clair Avenue West with the west boundary of the City of Toronto; thence westerly along St. Clair Avenue West to Scarlett Road; thence southerly along Scarlett Road to Dundas Street West; thence westerly along Dundas Street West to the boundary between the Borough of Etobicoke and the Borough of York;
- (c) that portion of the City of Toronto lying south of Bloor Street West and west of a line described as follows: Commencing at the intersection of Bloor Street West and Clendenan Avenue; thence southerly along Clendenan Avenue and the southerly prolongation of Clendenan Avenue to the shore of Lake Ontario.

**THE ELECTORAL DISTRICT OF LAKESHORE**—consists of that portion of the Borough of Etobicoke lying south and west of a line described as follows: Commencing at the intersection of the westerly boundary of the Borough of Etobicoke and the Canadian Pacific Railway line; thence easterly along said railway line to Bloor Street West; thence easterly along Bloor Street West to Prince Edward Drive; thence southerly along Prince Edward Drive to Sunnydale Drive; thence westerly along Sunnydale Drive and continuing westerly along the prolongation of Sunnydale Drive to Royal York Road South; thence southerly along Royal York Road South to Queen Elizabeth Way; thence westerly along Queen Elizabeth Way to the northerly prolongation of St. George Street; thence southerly along said prolongation and St. George Street and continuing southerly along the southerly prolongation of St. George Street to Dwight Avenue; thence southerly along Dwight Avenue and the southerly prolongation of Dwight Avenue to the shore of Lake Ontario.

**THE ELECTORAL DISTRICT OF PARKDALE**—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of the waters of Lake Ontario and the southerly prolongation of Spencer Avenue; thence northerly along the said prolongation and Spencer Avenue to King Street West; thence easterly along King Street West to Elm Grove Avenue; thence northerly along Elm Grove Avenue to Queen Street West; thence westerly along Queen Street West to Brock Avenue; thence northerly along Brock Avenue to Bloor Street West; thence easterly along Bloor Street West to Brock Avenue; thence northerly along Brock Avenue to Wallace Avenue; thence westerly along Wallace Avenue to Emerson Avenue; thence northerly along Emerson Avenue and Primrose Avenue to Davenport Road; thence easterly along Davenport Road to Greenlaw Avenue; thence northerly along Greenlaw Avenue to St. Clair Avenue West; thence westerly along St. Clair Avenue West to Harvie Avenue; thence northerly along Harvie Avenue to the northerly limit of the City of Toronto; thence westerly along the northerly limit of the City of Toronto to the Canadian National Railway line; thence southeasterly along the said railway line to Dundas Street West; thence northwesterly along Dundas Street West to Sorauren Avenue; thence southerly along Sorauren Avenue to Queen Street West; thence westerly along Queen Street West to Beaty Avenue; thence southerly along Beaty Avenue to King Street West; thence easterly along King Street West to Dowling Avenue; thence southerly along Dowling Avenue and the southerly

prolongation

prolongation of Dowling Avenue to the waters of Lake Ontario; thence southeasterly along the shore of Lake Ontario to the point of commencement.

THE ELECTORAL DISTRICT OF RIVERDALE—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of the main waters of Lake Ontario and the centre line of the channel known as Coatsworth Cut; thence northwesterly along the centre line of the said channel to the centre line of Ashbridges Bay; thence northeasterly along the centre line of the said Bay to the southerly prolongation of Coxwell Avenue; thence northerly along the said prolongation and Coxwell Avenue to Queen Street East; thence westerly along Queen Street East to Rhodes Avenue; thence northerly along Rhodes Avenue to Danforth Avenue; thence easterly along Danforth Avenue to Coxwell Avenue; thence northerly along Coxwell Avenue to the northerly limit of the City of Toronto; thence westerly, northerly and westerly along the said northerly limit to Jackman Avenue; thence southerly along Jackman Avenue to Danforth Avenue; thence easterly along Danforth Avenue to Hampton Avenue; thence southerly along Hampton Avenue to Sparkhall Avenue; thence westerly along Sparkhall Avenue to Broadview Avenue; thence southerly along Broadview Avenue to Gerrard Street East; thence easterly along Gerrard Street East to De Grassi Street; thence southerly along De Grassi Street to Queen Street East; thence easterly along Queen Street East to Carlaw Avenue; thence southerly along Carlaw Avenue and the southerly prolongation of Carlaw Avenue to the waters of Lake Ontario; thence northeasterly along the shore of Lake Ontario to the point of commencement.

THE ELECTORAL DISTRICT OF ST. ANDREW-ST. PATRICK—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of Spadina Road and the easterly prolongation of the boundary between the City of Toronto and the Borough of York; thence westerly along said prolongation and boundary between the City of Toronto and Borough of York to Bathurst Street; thence southerly along Bathurst Street to the Canadian Pacific Railway line; thence westerly along the said railway line to Palmerston Avenue; thence southerly along Palmerston Avenue, Tecumseth Street and the southerly prolongation of Tecumseth Street to the centre line of the channel known as the Western Gap; thence southwestward along the centre line of the said Channel to the main waters of Lake Ontario; thence southerly and easterly along the shore of Lake Ontario, including the Toronto Islands, to the centre line of the Channel known as the Eastern Gap; thence northwesterly along the centre line of the said Channel to the southerly prolongation of Parliament Street; thence northerly along the said prolongation to the water's edge of Toronto Harbour; thence along the northerly line of Toronto Harbour to the southerly prolongation of York Street; thence northerly along the said prolongation, York Street and University Avenue to Queen's Park Crescent; thence northerly along the easterly side of Queen's Park Crescent to Avenue Road; thence northerly along Avenue Road to the Canadian Pacific Railway line; thence westerly along the said railway line to Spadina Road; thence northerly along Spadina Road to the point of commencement.

THE ELECTORAL DISTRICT OF ST. DAVID—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of the shore of Lake Ontario and the prolongation of Carlaw Avenue; thence northerly along said prolongation and Carlaw Avenue to Queen Street East; thence westerly along Queen Street East to De Grassi Street;

thence northerly along De Grassi Street to Gerrard Street East; thence westerly along Gerrard Street East to Broadview Avenue; thence northerly along Broadview Avenue to Sparkhall Avenue; thence easterly along Sparkhall Avenue to Hampton Avenue; thence northerly along Hampton Avenue to Danforth Avenue; thence westerly along Danforth Avenue to Jackman Avenue; thence northerly along Jackman Avenue to the boundary between the City of Toronto and the Borough of East York; thence following said boundary westerly, northerly, easterly and northerly to Davisville Avenue; thence westerly along Davisville Avenue to Yonge Street; thence southerly along Yonge Street to Bloor Street East; thence easterly along Bloor Street East to Parliament Street; thence southerly along Parliament Street and continuing southerly along the prolongation of Parliament Street through the Eastern Channel to the shore of Lake Ontario; thence easterly following said shore to the point of commencement.

**THE ELECTORAL DISTRICT OF ST. GEORGE**—consists of that portion of the City of Toronto lying within the following limits: Commencing at the intersection of the prolongation of York Street and the shore of Lake Ontario; thence northerly along said prolongation and York Street and continuing northerly along University Avenue to Queen's Park Crescent; thence northerly along the easterly side of Queen's Park Crescent to Avenue Road; thence northerly along Avenue Road to the Canadian Pacific Railway line; thence westerly along the Canadian Pacific Railway line to Spadina Road; thence northerly along Spadina Road to Lonsdale Road; thence easterly along Lonsdale Road to Oriole Parkway; thence northerly along Oriole Parkway to the Canadian National Railway line; thence southerly along the Canadian National Railway line to Yonge Street; thence southerly along Yonge Street to Bloor Street East; thence easterly along Bloor Street East to Parliament Street; thence southerly along Parliament Street and the prolongation of Parliament Street to the shore of Lake Ontario; thence westerly following said shore to the point of commencement.

**THE ELECTORAL DISTRICT OF SCARBOROUGH CENTRE**—consists of that portion of the Borough of Scarborough bounded on the north by Lawrence Avenue East, on the east by Markham Road and the southerly prolongation of Markham Road, on the south by the shore of Lake Ontario and on the west by a line described as follows: Commencing at the intersection of Lawrence Avenue East and Kennedy Road; thence southerly along Kennedy Road and continuing southerly along the prolongation of Kennedy Road to Wynnview Court; thence southerly along Wynnview Court and continuing southerly along the prolongation of Wynnview Court to the shore of Lake Ontario.

**THE ELECTORAL DISTRICT OF SCARBOROUGH EAST**—consists of that portion of the Borough of Scarborough lying east of Markham Road and the prolongation of Markham Road southerly to the shore of Lake Ontario.

**THE ELECTORAL DISTRICT OF SCARBOROUGH NORTH**—consists of that portion of the Borough of Scarborough bounded on the north and west by the boundary of the Borough of Scarborough, on the south by Lawrence Avenue East and on the east by Markham Road.

**THE ELECTORAL DISTRICT OF SCARBOROUGH WEST**—consists of that portion of the Borough of Scarborough bounded on the west by the west limit of the Borough of Scarborough, on the south by the shore of Lake Ontario, on the north by Lawrence Avenue East and on the east by a line described as follows:

Commencing



Commencing at the intersection of Lawrence Avenue East and Kennedy Road; thence southerly along Kennedy Road and continuing southerly along the prolongation of Kennedy Road to Wynnview Court; thence southerly along Wynnview Court and continuing southerly along the prolongation of Wynnview Court to the shore of Lake Ontario.

THE ELECTORAL DISTRICT OF YORK EAST—consists of that portion of the Borough of East York lying west of a line described as follows: Commencing at the intersection of Woodbine Avenue and the northerly limit of the City of Toronto; thence northerly along Woodbine Avenue and continuing northerly along the prolongation of Woodbine Avenue to Woodbine Heights Boulevard; thence northerly along Woodbine Heights Boulevard and continuing northerly along the prolongation of Woodbine Heights Boulevard to the north boundary of the Borough of East York.

THE ELECTORAL DISTRICT OF YORK-FOREST HILL—consists of,

- (a) that portion of the Borough of York lying east of Dufferin Street;
- (b) that portion of the City of Toronto lying east of the Borough of York and contained within a line described as follows: Commencing at the intersection of the west limit of the City of Toronto and Hillhurst Boulevard; thence easterly along Hillhurst Boulevard to Avenue Road; thence southerly along Avenue Road to Chaplin Crescent; thence southeasterly along Chaplin Crescent to Oriole Parkway; thence southerly along Oriole Parkway to Lonsdale Road; thence westerly along Lonsdale Road to Spadina Road; thence southerly along Spadina Road to its intersection with the easterly prolongation of the boundary between the City of Toronto and the Borough of York; thence westerly along the said prolongation to the boundary between the City of Toronto and the Borough of York.

THE ELECTORAL DISTRICT OF YORK MILLS—consists of that portion of the Borough of North York bounded on the north by the northern limit of the Borough of North York, on the west by Yonge Street, on the east by Victoria Park Avenue and on the south by a line described as follows: Commencing at the intersection of Yonge Street and the limit of the City of Toronto; thence easterly and southerly following said City limit to Lawrence Avenue East; thence easterly along Lawrence Avenue East to Victoria Park Avenue.

THE ELECTORAL DISTRICT OF YORK SOUTH—consists of that portion of the Borough of York lying west and north of a line described as follows: Commencing at the intersection of Dufferin Street with the boundary between the Borough of North York and the Borough of York; thence southerly along Dufferin Street to the north limit of the City of Toronto; thence westerly and southerly following said City limit to St. Clair Avenue West; thence westerly along St. Clair Avenue West to Scarlett Road; thence southerly along Scarlett Road to Dundas Street West; thence westerly along Dundas Street West to the boundary between the Borough of Etobicoke and the Borough of York.

THE ELECTORAL DISTRICT OF YORK WEST—consists of that portion of the Borough of Etobicoke bounded on the north by a line described as follows: Commencing at the intersection of the westerly boundary of the Borough of Etobicoke and Richview Side Road; thence easterly along Richview Side Road and

continuing easterly along the easterly prolongation of said side road to the easterly limit of the Borough of Etobicoke; on the south by a line described as follows: Commencing at the intersection of the westerly boundary of the Borough of Etobicoke and the Canadian Pacific Railway line; thence easterly along said railway line to Bloor Street West; thence easterly along Bloor Street West to the easterly limit of the Borough of Etobicoke; and on the east and west by the boundary of the Borough of Etobicoke.

THE ELECTORAL DISTRICT OF YORKVIEW—consists of that portion of the Borough of North York lying west of Keele Street.

R.S.O. 1960, c. 353, Sched.; 1962-63, c. 125, s. 2, *amended*.





## CHAPTER 138

**An Act to amend  
The Retail Sales Tax Act, 1960-61**

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Paragraph 13 of section 1 of *The Retail Sales Tax Act, 1960-61* is repealed and the following substituted therefor: 1960-61,  
c. 91, s. 1,  
par. 13,  
re-enacted

13. "tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any way perceptible to the senses, and includes electricity, natural or manufactured gas, telephone services, including long distance calls, and telegraph services.

**2.**—(1) Subsection 1 of section 2 of *The Retail Sales Tax Act, 1960-61* is amended by striking out "3" in the fourth line and inserting in lieu thereof "5", so that the subsection shall read as follows: 1960-61,  
c. 91, s. 2,  
subs. 1,  
amended

- (1) Every purchaser of tangible personal property shall pay to Her Majesty in right of Ontario a tax in respect of the consumption or use thereof computed at the rate of 5 per cent of the fair value thereof. Tax on  
purchaser

(2) Subsection 5 of the said section 2 is amended by striking out "3" in the fifth line and inserting in lieu thereof "5", so that the subsection shall read as follows: 1960-61,  
c. 91, s. 2,  
subs. 5,  
amended

- (5) Every purchaser who, after the coming into force of this Act, takes delivery of any tangible personal property purchased by him prior to the coming into force of this Act shall pay to Her Majesty in right of Ontario a tax at the rate of 5 per cent of the purchase price of such tangible personal property. Payment  
of tax on  
delayed  
delivery

1960-61,  
c. 91, s. 2,  
subs. 7,  
amended

(3) Subsection 7 of the said section 2, as amended by subsection 3 of section 2 of *The Retail Sales Tax Amendment Act, 1964*, is amended by striking out "residing or ordinarily resident or carrying on business in Ontario" in the first and second lines, so that the subsection shall read as follows:

Tangible  
personal  
property  
brought  
into or  
received in  
Ontario

- (7) Every person who brings into Ontario or who receives delivery in Ontario of tangible personal property acquired by him for value for his own consumption or use, or for the consumption or use of other persons at his expense, or on behalf of, or as agent for, a principal who desires to acquire such property for the consumption or use by such principal or other persons at his expense, shall immediately report the matter in writing to the Comptroller and shall supply him with the invoice and all other pertinent information required by him in respect of the consumption or use of such property and at the same time shall pay to Her Majesty in right of Ontario the same tax in respect of the consumption and use of such property as would have been payable if the property had been purchased at a retail sale in Ontario.

1960-61,  
c. 91, s. 5,  
par. 5,  
amended

**3.**—(1) Paragraph 5 of section 5 of *The Retail Sales Tax Act, 1960-61* is amended by adding at the end thereof "1965", so that the paragraph shall read as follows:

1965, c. 76

5. fuel taxed under *The Motor Vehicle Fuel Tax Act, 1965*.

1960-61,  
c. 91, s. 5,  
par. 6,  
amended

(2) Paragraph 6 of the said section 5 is amended by adding at the end thereof "1965", so that the paragraph shall read as follows:

1965, c. 76

6. fuel oil not taxed under *The Motor Vehicle Fuel Tax Act, 1965*.

1960-61,  
c. 91, s. 5,  
par. 9,  
amended

(3) Paragraph 9 of the said section 5 is amended by adding at the end thereof "as defined by the Treasurer", so that the paragraph shall read as follows:

9. wood as defined by the Treasurer.

1960-61,  
c. 91, s. 5,  
par. 10,  
amended

(4) Paragraph 10 of the said section 5 is amended by adding at the end thereof "as defined by the Treasurer", so that the paragraph shall read as follows:

10. natural gas and manufactured gas as defined by the Treasurer.

(5) Paragraph 20 of the said section 5, as re-enacted by subsection 2 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is repealed and the following substituted therefor: 1960-61, c. 91, s. 5, par. 20 (1961-62, c. 126, s. 3, subs. 2), re-enacted

20. materials and equipment required for irrigation purposes and repairs to such equipment and drainage tile when such materials, equipment or tile is purchased by a person who with respect to the purchase of such property provides the vendor with a signed statement certifying that he is engaged in the business of farming and that such property will be used exclusively in the conduct of such business.

(6) Paragraphs 24 and 25 of the said section 5, as re-enacted by subsection 1 of section 2 of *The Retail Sales Tax Amendment Act, 1965*, are repealed and the following substituted therefor: 1960-61, c. 91, s. 5, par. 24, 25 (1965, c. 117, s. 2, subs. 1), re-enacted

24. aircraft as defined by the Treasurer and purchased for use in foreign or interprovincial trade by an airline, and repairs to such aircraft;

25. street flushers, street sweepers and fire-fighting vehicles as defined by the Treasurer and purchased by a municipality, university or public hospital at a price of more than \$1,000 per vehicle.

(7) Paragraph 28 of the said section 5 is repealed and the following substituted therefor: 1960-61, c. 91, s. 5, par. 28, re-enacted

28. boats, fishing nets and other fishing apparatus utilized in catching fish for human consumption, purchased by a *bona fide* commercial fisherman for use solely in his trade, and repairs to such boats, fishing nets or other fishing apparatus.

(8) Paragraph 37 of the said section 5, as re-enacted by subsection 4 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62* and amended by subsection 3 of section 2 of *The Retail Sales Tax Amendment Act, 1962-63* and subsection 2 of section 2 of *The Retail Sales Tax Amendment Act, 1965*, is repealed and the following substituted therefor: 1960-61, c. 91, s. 5, par. 37 (1961-62, c. 126, s. 3, subs. 4), re-enacted

37. equipment as defined by the Treasurer and purchased in good faith for use exclusively and not for resale by a hospital that is approved as a public hospital under *The Public Hospitals Act* or that is established under *The Community Psychiatric Hospitals Act, 1960-61* or by a sanatorium as defined R.S.O. 1960, c. 322 1960-61, c. 9

R.S.O. 1960,  
c. 359

under *The Sanatoria for Consumptives Act* or by The Ontario Cancer Treatment and Research Foundation, and repairs to such equipment.

1960-61,  
c. 91, s. 5,  
par. 52,  
repealed

(9) Paragraph 52 of the said section 5 is repealed.

1960-61,  
c. 91, s. 5,  
par. 56,  
(1961-62,  
c. 126, s. 3,  
subs. 9),  
amended

(10) Paragraph 56 of the said section 5, as enacted by subsection 9 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is amended by inserting after "Treasurer" in the first line "and" and by adding at the end thereof "and repairs to such equipment", so that the paragraph shall read as follows:

56. equipment as defined by the Treasurer and that is purchased by a religious institution for use exclusively and not for resale in that part of its premises where religious worship or sabbath school is regularly conducted, and repairs to such equipment.

1960-61,  
c. 91, s. 5,  
par. 57,  
(1961-62,  
c. 126, s. 3,  
subs. 9),  
amended

(11) Paragraph 57 of the said section 5, as enacted by subsection 9 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is amended by inserting after "Treasurer" in the first line "and" and by adding at the end thereof "and repairs to such equipment", so that the paragraph shall read as follows:

57. equipment as defined by the Treasurer and that is purchased by a person licensed by the Minister of Lands and Forests to trap fur-bearing animals, and repairs to such equipment.

1960-61,  
c. 91, s. 5,  
par. 61  
(1964,  
c. 104, s. 4),  
amended

(12) Paragraph 61 of the said section 5, as enacted by section 4 of *The Retail Sales Tax Amendment Act, 1964*, is amended by adding at the end thereof "and repairs to such equipment", so that the paragraph shall read as follows:

61. buses, excluding school buses, when purchased in good faith to provide public transportation within a municipality as defined by the Treasurer, and repairs to such equipment.

1960-61,  
c. 91, s. 5,  
par. 62  
(1964,  
c. 104, s. 4),  
amended

(13) Paragraph 62 of the said section 5, as enacted by section 4 of *The Retail Sales Tax Amendment Act, 1964*, is amended by inserting after "a" in the fourth line and in the sixth line "public", so that the paragraph shall read as follows:

62. tangible personal property that is purchased in good faith pursuant to a contract entered into on or after the 1st day of June, 1964, for use exclusively and not for resale by the governing board of a public hospital, nurses' residence, school or university and that will



be incorporated into and form part of a public hospital, nurses' residence, school or university building.

(14) The said section 5, as amended by section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, section 2 of *The Retail Sales Tax Amendment Act, 1962-63*, section 4 of *The Retail Sales Tax Amendment Act, 1964* and section 2 of *The Retail Sales Tax Amendment Act, 1965*, is further amended by adding thereto the following paragraphs:

65. settler's effects as defined by the Treasurer;

66. cut natural evergreen Christmas trees when used for decorative purposes.

4. Subsection 1 of section 17 of *The Retail Sales Tax Act, 1960-61* is amended by striking out "thirty" in the second line and inserting in lieu thereof "sixty", so that the subsection shall read as follows:

- (1) Where a vendor or a purchaser objects to an assessment made under section 13, he may, within sixty days from the day of mailing of the notice of assessment, serve on the Treasurer a notice of objection in duplicate in the prescribed form setting out the reasons for the objection and all relevant facts.

5. Subsection 3 of section 24 of *The Retail Sales Tax Act, 1960-61* is amended by striking out "payable" in the fourth line and inserting in lieu thereof "paying", so that the subsection shall read as follows:

- (3) The Comptroller may, for any purpose related to the administration or enforcement of this Act, by registered letter or by a demand served personally, require from any person, partnership, syndicate, trust or corporation holding or paying or liable to pay any amount to a vendor or purchaser, or from any partner, agent or official of any such person, partnership, syndicate, trust or corporation, production, or production on oath, of any books, letters, accounts, invoices, statements, financial or otherwise, or other documents, within such reasonable time as is stipulated therein.

6. Subsection 1 of section 31 of *The Retail Sales Tax Act, 1960-61* is amended by adding at the end thereof "but in no case shall the deposit be less than \$100", so that the subsection shall read as follows:

Surety  
bond

- (1) The Comptroller may require any vendor to deposit with the Treasurer a bond by way of cash or other security satisfactory to the Treasurer in an amount to be determined by the Comptroller but not greater than an amount equal to six times the amount of the estimated tax that would normally be collected by the vendor each month under this Act, but in no case shall the deposit be less than \$100.

1960-61,  
c. 91, s. 39,  
subs. 2,  
amended

7. Subsection 2 of section 39 of *The Retail Sales Tax Act, 1960-61*, as amended by section 12 of *The Retail Sales Tax Amendment Act, 1964*, is further amended by adding thereto the following clause:

- (g) providing for the rebate of tax in whole or in part owing to special circumstances, and prescribing the terms and conditions under which such rebates may be made.

Commence-  
ment

8.—(1) This Act, except subsections 1 and 2 of section 3, comes into force on the 1st day of April, 1966.

Idem

(2) Subsections 1 and 2 of section 3 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

9. This Act may be cited as *The Retail Sales Tax Amendment Act, 1966*.

## CHAPTER 139

## An Act to amend The Ryerson Polytechnical Institute Act, 1962-63

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Ryerson Polytechnical Institute Act*, 1962-63, c. 128, s. 6, 1962-63 is amended by adding thereto the following sub-amended section:

(2) All property lying within the boundaries described in the Schedule hereto that is vested in Her Majesty in right of Ontario on the 1st day of June, 1966, is vested in the Board. Certain Crown property vested in Board

2. *The Ryerson Polytechnical Institute Act*, 1962-63 is amended by adding thereto the following Schedule: 1962-63, c. 128, amended

### SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of Toronto, in the County of York, in the Province of Ontario and being composed of Lots 12 and 13 and part of Lot 14 on the north side of Gerrard Street East; Lots 32 and 33 on the west side of Church Street; part of Lots 36, 37 and 42 on the east side of Church Street; Lots 81 to 92 inclusive on the east side of Victoria Street, Lots 35 to 46 inclusive on the west side of Bond Street, the lane lying between Lots 81 to 92 inclusive on the east side of Victoria Street and Lots 35 to 46 inclusive on the west side of Bond Street, Lots 71 to 82 inclusive on the east side of Bond Street, Lots 34 to 44 on the west side of Church Street, the lane lying between Lots 71 to 82 inclusive on the east side of Bond Street and Lots 34 to 44 inclusive on the west side of Church Street, and that part of Bond Street lying between the north side of Gould Street and the south side of Gerrard Street; all according to a plan on file in the Registry Office for the Registry Division of the City of Toronto as No. 22A, and part of Lots 55, 56 and 57 on the south side of McGill Street, according to a plan on file in the Registry Office for the Registry Division of the City of Toronto as No. 203;

PREMISING that the bearings herein are assumed and are referred to the southerly limit of Gerrard Street having a bearing of North seventy-four degrees East (N. 74° E.) in accordance with the said Plan 22A and relating all bearings herein thereto;

*Firstly:*

*Firstly:*

BEING Lots 81 to 92 inclusive on the east side of Victoria Street, Lots 35 to 46 inclusive on the west side of Bond Street, the lane lying between Lots 81 to 92 inclusive on the east side of Victoria Street and Lots 35 to 46 inclusive on the west side of Bond Street, Lots 71 to 82 inclusive on the east side of Bond Street, Lots 34 to 44 on the west side of Church Street, the lane lying between Lots 71 to 82 inclusive on the east side of Bond Street and Lots 34 to 44 inclusive on the west side of Church Street and that part of Bond Street lying between the north side of Gould Street and the south side of Gerrard Street;

COMMENCING in the westerly limit of Church Street where the same is intersected by the northerly limit of Gould Street;

THENCE North sixteen degrees West (N. 16° W.) along the said western limit of Church Street five hundred and sixty-seven feet (567.00'), more or less, to the southerly limit of Gerrard Street;

THENCE South seventy-four degrees West (S. 74° W.) along the said southerly limit of Gerrard Street, five hundred and seventy-three feet (573.00'), more or less, to the easterly limit of Victoria Street;

THENCE South sixteen degrees East (S. 16° E.) along the said easterly limit of Victoria Street five hundred and sixty-seven feet (567.00'), more or less, to the said northerly limit of Gould Street;

THENCE North seventy-four degrees East (N. 74° E.) along the said northerly limit of Gould Street, five hundred and seventy-two feet (572.00'), more or less, to the place of beginning;

AND SUBJECT TO an agreement with the Toronto Hydro-Electric System for the right to use the portion of the lands above described as shown in red on a Toronto Hydro-Electric System Plan No. 7159-D1;

AND DESIGNATED AS PART 1 on Department of Public Works, Ontario, Plan of Survey No. 138-6L;

*Secondly:*

BEING Lots 32 and 33 on the west side of Church Street according to the said Plan 22A;

COMMENCING at the southwesterly corner of Church and Gould Streets according to the said Plan 22A, being also the northeasterly angle of the said Lot 33;

THENCE westerly along the said southerly limit of Gould Street, being also the northerly limit of the said Lot 33, one hundred and seventeen and thirty-three one-hundredths feet (117.33'), more or less, to the northwesterly angle of the said Lot 33, being also a point in the easterly limit of a lane;

THENCE southerly along the easterly limit of the said lane, being also the westerly limits of the said Lots 33 and 32, one hundred and nine and twenty-three one-hundredths feet (109.23') to the point of intersection therewith of the production westerly in a straight line of the northerly face of the northerly wall of a two-storey brick building standing in November 1958, upon the lands lying immediately to the south of the lands herein described;

THENCE easterly along the said production and the said northerly face of wall and along the northerly face of the northerly wall of a one-storey concrete block building standing in November 1958, immediately to the east of the said brick building and continuing easterly in a straight line along the production easterly of the last-mentioned face of wall, in all a distance of one hundred and seventeen and twenty-one one-hundredths feet (117.21'), more or less, to a point in the westerly limit of Church Street according to the said Plan 22A;



THENCE northerly along the said westerly limit of Church Street, being also the easterly limits of the said Lots 32 and 33, one hundred and nine and thirty-eight one-hundredths feet (109.38'), more or less, to the place of beginning;

AND DESIGNATED AS PART 2 on Department of Public Works, Ontario, Plan of Survey No. 138-6L;

*Thirdly:*

BEING Part of Lots 36 and 37 on the east side of Church Street according to the said Plan 22A;

COMMENCING at a point where the easterly limit of Church Street would be intersected by the limit between the north and south halves of the said Lot 36, the said point of commencement being distant four hundred and thirty-one feet (431.00'), more or less, measured southerly along the said easterly limit of Church Street from the southerly limit of Gerrard Street East;

THENCE northerly along the said limit of Church Street fifty and seventy-one one-hundredths feet (50.71'), more or less, to the point of intersection with the production westerly of the northerly face of the brick wall of the front part of house No. 309 Church Street;

THENCE easterly along the said produced line and along the said northerly face of brick wall of house No. 309 and along the line of old fence in rear thereof, referred to in Instrument filed in the said Registry Office as No. 12548EP, to a point in the easterly limit of the said Lot 37, distant twenty-five and twenty-five one-hundredths feet (25.25') measured northerly from the southerly limit of the said Lot 37;

THENCE southerly along the easterly limit of the said Lots 37 and 36, fifty and twenty-five one-hundredths feet (50.25'), more or less, to its intersection with a line drawn on a course North seventy-four degrees East (N. 74° E.) parallel with Gerrard Street East, through the said point of commencement;

THENCE South seventy-four degrees West (S. 74° W.) parallel with Gerrard Street East, one hundred and ten feet (110.00'), more or less, to the point of commencement, being premises Nos. 303, 307 and 309 Church Street;

AND DESIGNATED AS PART 3 on Department of Public Works, Ontario, Plan of Survey No. 138-6L;

*Fourthly:*

BEING Part of Lot 42 on the east side of Church Street according to the said Plan 22A;

COMMENCING at a point in the easterly limit of Church Street, where the said limit would be intersected by the production westerly of the centre line of partition wall between the brick dwelling house standing in December 1956 upon the lands herein described and the next dwelling house to the north thereof, the said point of intersection being distant seventeen and eight one-hundredths feet (17.08') measured southerly along the said easterly limit of Church Street from the existing northerly limit of the said Lot 42;

THENCE easterly to and along the said centre line of wall and continuing easterly in a straight line, to and along the southerly face of the southerly wall of a brick garage building standing in December 1956 upon the northeasterly part of the said Lot 42, in all a distance of one hundred and ten and seventy-one one-hundredths feet (110.71'), more or less, to the westerly limit of Dalhousie Street, distant seventeen feet (17.00') measured southerly thereon from the said existing northerly limit of Lot 42;



THENCE southerly along the said westerly limit of Dalhousie Street, seventeen feet (17.00'), more or less, to its intersection with the line of a board fence running easterly, being a point distant sixteen and thirty-five one-hundredths feet (16.35') measured northerly along the said westerly limit of Dalhousie Street from the southeasterly angle of the said Lot 42;

THENCE westerly along the line of the said board fence, sixty-two and nineteen one-hundredths feet (62.19'), more or less, to the easterly face of the easterly wall of the front part of the brick dwelling house standing at December 1956 upon the lands to the south of the lands herein described;

THENCE northerly along the said easterly face of wall, ten one-hundredths feet (0.10'), more or less, to its intersection with the centre line of the partition wall between the said dwelling house standing upon the lands herein described and the said dwelling house standing upon the lands immediately to the south thereof;

THENCE westerly along the last-mentioned centre line of wall and continuing westerly parallel to the said southerly limit of Lot 42, forty-eight and fifty one-hundredths feet (48.50'), more or less, to the said easterly limit of Church Street;

THENCE northerly along the said easterly limit of Church Street, sixteen and fifty-two one-hundredths feet (16.52'), more or less, to the point of commencement;

AND DESIGNATED AS PART 4 on Department of Public Works, Ontario, Plan of Survey No. 138-6L;

*Fifthly:*

BEING Lots 12 and 13 and Part of Lot 14 on the north side of Gerrard Street according to the said Plan 22A and Parts of Lots 55, 56 and 57 on the south side of McGill Street according to the said Plan 203;

COMMENCING at the southwesterly angle of said Lot 12;

THENCE easterly along the southerly limits of said Lots Numbers 12, 13 and 14, being also the northerly limit of Gerrard Street East, one-hundred and two and fifty one-hundredths feet (102.50') to a point in the said southerly limit of Lot 14 where the same is intersected by a line drawn parallel to the westerly limit of said Lot No. 14 and distant two and fifty one-hundredths feet (2.50') measured easterly therefrom and at right angles thereto;

THENCE northerly along the said parallel line, one hundred and one and fifty-four one-hundredths feet (101.54'), more or less, to the northerly limit of said Lot 14;

THENCE continuing northerly and parallel to the easterly limit of said Lot 55 according to Registered Plan No. 203, twenty-six and fifteen one-hundredths feet (26.15');

THENCE easterly and parallel to the southerly limit of said Lot 55, two feet (2.00');

THENCE northerly and parallel to the said easterly limit of Lot 55, twenty-two and eighty-five one-hundredths feet (22.85'), more or less, to a point in the southerly face of the southerly wall of a brick building standing in the year 1941 on the lands to the north thereof;

THENCE westerly and parallel to the southerly limits of said Lots 55 and 56 thirty-four and ninety-six one-hundredths feet (34.96'), to the easterly limit of said Lot 56;

THENCE northerly along the said easterly limit, fourteen feet (14.00'), more or less, to the projection easterly of the southerly limit of the lands registered in the Land Titles Office at Toronto as Parcel 66 Section 'M' Toronto;

THENCE westerly, to and along the southerly limit of said Parcel 66 Section 'M' Toronto, sixty-seven and sixty-seven one-hundredths feet (67.67'), more or less, to a point where the same is intersected by the projection northerly of the westerly limit of said Lot 12;

THENCE southerly in a straight line, to and along the said westerly limit of Lot 12, one hundred and sixty-five and forty one-hundredths feet (165.40'), more or less, to the point of commencement;

AND DESIGNATED AS PART 5 on Department of Public Works, Ontario, Plan of Survey No. 138-6L;

*Sixthly:*

ALL OF PARCEL 14, Section M, in the Office of Land Titles, Toronto, being part of Lots 56 and 57 on the south side of McGill Street according to the said Plan 203;

COMMENCING at a point on the southerly limit of McGill Street distant eleven and sixty-seven one-hundredths feet (11.67') westerly from the northeast angle of said Lot 56, said point being also in the existing westerly limit of a lane;

THENCE westerly along the said southerly limit of McGill Street, seventy-three and ninety-six one-hundredths feet (73.96'), to its intersection with the production northerly of the centre line of the partition wall between the most westerly house on this land and the house on the land to the west thereof;

THENCE southerly along the said production of, and along the said centre line and along the fence line in rear thereof, in all a distance of seventy-one and eight one-hundredths feet (71.08'), to the northerly limit of a lane;

THENCE easterly along the said northerly limit of the lane, seventy-three and sixty-seven one-hundredths feet (73.67'), to its intersection with the existing westerly limit of a lane leading northerly to McGill Street, said point of intersection being also distant twelve and eight one-hundredths feet (12.08') measured westerly on a course parallel with McGill Street from the easterly limit of said Lot 56;

THENCE northerly along the said westerly limit of lane seventy-one and eight one-hundredths feet (71.08') to the point of commencement;

AND DESIGNATED AS PART 6 on Department of Public Works, Ontario, Plan of Survey No. 138-6L;

*Seventhly:*

ALL OF PARCEL 66, Section M, in the Office of Land Titles, Toronto, being part of Lots 56 and 57 on the south side of McGill Street according to the said Plan 203;

COMMENCING at a point in the southerly limit of McGill Street at the easterly limit of a private lane running southerly from the north boundary of Lot 56 and distant westerly one and seventy-nine one-hundredths feet (1.79'), more or less, from the northeast angle of Lot 56;

THENCE westerly along the southerly limit of McGill Street nine and eighty-eight one-hundredths feet (9.88'), more or less, to the westerly limit of said private lane, being also the east limit of land entered in the Office for Land Titles as Parcel 14 in the Register for Section 'M' Toronto;

THENCE southerly along the westerly limit of said private lane seventy-one and eight one-hundredths feet (71.08'), more or less, to the northerly limit of a lane running westerly, being also the south limit of said Parcel 14;

THENCE westerly along the northerly limit of last-mentioned lane seventy-three and sixty-seven one-hundredths feet (73.67'), more or less, to the intersection of such north limit with the production southerly of the fence line in the rear of premises Numbers 59 and 57 McGill Street and separating the same, such point of intersection being also the southwesterly angle of said Parcel 14;

THENCE southerly parallel to Church Street ten feet (10.00'), more or less, to the southerly limit of last-mentioned lane;

THENCE easterly along the said southerly limit of lane eighty-three and ninety-six one-hundredths feet (83.96'), more or less, to the easterly limit of the first-mentioned lane;

THENCE northerly along said easterly limit of lane eighty-one and eight one-hundredths feet (81.08'), more or less, to the point of beginning;

AND DESIGNATED AS PART 7 on Department of Public Works, Ontario, Plan of Survey No. 138-6L.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Ryerson Polytechnical Institute Amendment Act, 1966*.

## CHAPTER 140

## An Act to amend The Schools Administration Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 23 of subsection 2 of section 1 of *The Schools Administration Act* is amended by striking out “on a daily basis” in the second line, so that the paragraph shall read as follows: R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
par. 23,  
amended

23. “occasional teacher” means a teacher employed to teach as a substitute for a permanent, probationary or temporary teacher.

(2) Paragraph 32 of subsection 2 of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
par. 32,  
re-enacted

32. “rural school section” means a school section that comprises only territory without municipal organization.

(3) Paragraph 40 of subsection 2 of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
par. 40,  
re-enacted

40. “temporary teacher” means a person employed to teach under the authority of a letter of permission.

(4) Subsection 2 of the said section 1 is amended by adding thereto the following paragraph: R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
amended

43. “urban school section” means an enlarged administrative area, a union school section or a school section that includes an urban municipality.

2. Section 3 and section 4, as amended by section 2 of *The Schools Administration Amendment Act, 1965*, of *The Schools Administration Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 361,  
ss. 3, 4,  
re-enacted

- School year 3.—(1) The school year for elementary and secondary schools consists of three terms.
- First term (2) The first or fall term commences on the day following Labour Day and ends on the 22nd day of December, but, when the 22nd day of December is a Monday, the first term ends on the preceding Friday.
- Second term (3) The second or winter term commences on the 3rd day of January and ends on the Friday preceding the 21st day of March, but, when the 3rd day of January is a Friday, the second term commences on the following Monday.
- Third term (4) The third or spring term commences on the second Monday following the end of the second term and ends on the 30th day of June, but, when the 30th day of June is a Monday or Tuesday, the third term ends on the preceding Friday.
- School holidays 4. The following days are school holidays:
1. Every Saturday and Sunday.
  2. Every day proclaimed a public holiday by the authorities of the municipality in which the school is situated.
  3. Every day upon which the school is closed under *The Emergency Measures Act, 1962-63*, *The Public Health Act* or *The Department of Education Act* or the regulations.
  4. A day approved by the inspector for a teachers' institute or conference.
  5. A day appointed by the Governor General or the Lieutenant Governor as a public holiday or for thanksgiving.
  6. The birthday of the reigning sovereign or the day fixed by proclamation of the Governor General for the celebration of the birthday of the reigning sovereign.
  7. Good Friday, Easter Monday, Victoria Day and Remembrance Day.
  8. Where under section 5 the school is open during July and August, Dominion Day and Labour Day.

1962-63,  
c. 41  
R.S.O. 1960,  
cc. 321, 94



**3.** Subsection 1 of section 5 of *The Schools Administration Act* is amended by striking out "Easter and" in the third line and inserting in lieu thereof "between the second and third terms and for", so that the subsection shall read as follows: R.S.O. 1960,  
c. 361, s. 5,  
subs. 1,  
amended

- (1) With the approval of the inspector, a rural elementary school board may substitute holidays in some other part of the year for part of the time allowed for between the second and third terms and for summer holidays to suit the convenience of pupils and teachers, but the same number of holidays shall be allowed in each year. Rural  
areas

**4.**—(1) Clause *g* of subsection 1 of section 22 of *The Schools Administration Act*, as re-enacted by section 3 of *The Schools Administration Amendment Act, 1965*, is repealed. R.S.O. 1960,  
c. 361, s. 22,  
subs. 1,  
cl. *g*  
(1965,  
c. 118, s. 3),  
repealed

(2) Subsection 2 of the said section 22, as amended by section 4 of *The Schools Administration Amendment Act, 1964*, is further amended by adding thereto the following clause: R.S.O. 1960,  
c. 361, s. 22,  
subs. 2,  
amended

- (*ba*) to ensure that the attendance of pupils for every school day is recorded in the register supplied by the Minister in accordance with the instructions contained therein or in such other manner as is approved by the Minister. attendance  
records

**5.** Paragraph 2 of section 34 of *The Schools Administration Act* is amended by striking out "an" in the second line and inserting in lieu thereof "a rural", so that the paragraph shall read as follows: R.S.O. 1960,  
c. 361, s. 34,  
par. 2,  
amended

2. appoint a secretary and a treasurer or a secretary-treasurer, who, in the case of a rural elementary school board, may be a member of the board. appoint  
secretary,  
treasurer

**6.** *The Schools Administration Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 361,  
amended

- 35*b*. A public school board or a high school board may enter into an agreement with any other board to provide for the other board, Agreements  
to provide  
administra-  
tive accom-  
modation  
or sharing  
of teachers,  
etc.

(*a*) accommodation for administrative purposes;  
or

(*b*) the services of a psychiatrist, psychologist or teacher.

R.S.O. 1960,  
c. 361, s. 36  
(1964,  
c. 105, s. 8),  
subs. 1,  
amended

7.—(1) Subsection 1 of section 36 of *The Schools Administration Act*, as re-enacted by section 8 of *The Schools Administration Amendment Act, 1964*, is amended by striking out "with more than three trustees" in the first line, so that the first seven lines of the subsection shall read as follows:

Honorarium  
for trustees

- (1) A board may pay to each trustee, except trustees who are appointed to a board of education for secondary school purposes only, for each month an honorarium not exceeding an amount based on the average daily attendance of pupils in the schools operated by the board in the preceding year as follows:

. . . . .

R.S.O. 1960,  
c. 361, s. 36  
(1964,  
c. 105, s. 8),  
amended

(2) The said section 36, as amended by section 5 of *The Schools Administration Amendment Act, 1965*, is further amended by adding thereto the following subsection:

Chairman,  
additional  
honorarium

- (2a) A board may pay to its chairman, in addition to any honorarium that may be paid to him as trustee, an additional honorarium not exceeding 25 per cent of the honorarium that may be paid to him as trustee.

R.S.O. 1960,  
c. 361, s. 37,  
amended

8. Section 37 of *The Schools Administration Act*, as amended by section 9 of *The Schools Administration Amendment Act, 1964* and section 6 of *The Schools Administration Amendment Act, 1965*, is further amended by adding thereto the following subsections:

Idem

- (7) Where a pupil resides in a territorial district but not in a school section, a separate school zone or a high school district, with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school that he is eligible to attend, the board of the secondary school that he attends may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends.

Idem

- (8) Where a pupil resides in a high school district in a territorial district with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school that he attends under section 66 or that he has a right to attend under section

68 of *The Secondary Schools and Boards of Education Act*, the secondary school board of the high school district of which he is a resident pupil may, in lieu of providing daily transportation to and from the secondary school that he attends, reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends.

R.S.O. 1960,  
c. 362

**9.** *The Schools Administration Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 361,  
amended

**44a.** A trustee of a board, with the consent of a majority of the trustees present at a meeting, entered upon the minutes of it, may resign as trustee, but he shall not vote on a motion as to his own resignation and may not resign as trustee if his resignation will reduce the number of trustees of the board to less than a quorum.

Resignation  
of trustees

**10.** Section 54 of *The Schools Administration Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 361, s. 54,  
re-enacted

**54.—(1)** Notwithstanding any other Act, where the council of a municipality is required to conduct the election of trustees for a board and biennial or triennial elections have been provided for members of council, the trustees shall be elected biennially or triennially in the same year as the members of council and shall hold office for two or three years, as the case may be.

Biennial or  
triennial  
elections

**(2)** All elected trustees in office in the year in which the nomination meeting is to be held in respect of the first biennial or triennial election of trustees cease to hold office at the end of that year.

Trustees in  
office before  
first biennial  
or triennial  
election

**(3)** Where a board has jurisdiction in more than one municipality and the election of members of council of the municipality that is responsible for conducting the nominations and elections of trustees has annual elections and one or more of the other municipalities has biennial or triennial elections for members of council, each municipality having biennial or triennial elections shall make provision for the nomina-

Where a  
responsible  
municipality  
has annual  
elections and  
another  
municipality  
in same  
school  
section has  
biennial or  
triennial  
elections

tion and election of trustees in the municipality for the year in which elections are not held for members of council of that municipality.

Formation of school board during biennial or triennial term of council

- (4) Where a council is elected biennially or triennially and a new board is established after the election of council to be organized in the second or third year of the term of council, the council shall provide for the election of trustees to hold office for one or two years, as the case may be, from the 1st day of January of the year in which the board is organized, and the election shall be held in the same manner as the election of trustees is held at municipal elections.

R.S.O. 1960, c. 361, s. 55, subs. 1, amended

**11.** Subsection 1 of section 55 of *The Schools Administration Act* is amended by inserting after "any" in the fifth line "linguistic", so that the subsection shall read as follows:

Classes which may be established

- (1) Subject to the regulations, a board may establish and conduct classes for children who, not being persons whose mental capacity is incapable of development beyond that of a child of normal mentality at eight years of age, are from any linguistic, physical or mental cause unable to take proper advantage of the elementary or secondary school courses.

R.S.O. 1960, c. 361, s. 80, re-enacted

**12.** Section 80 of *The Schools Administration Act* is repealed and the following substituted therefor:

Inspectorates, number of

- 80.—(1) The Minister shall determine the number of inspectorates in Ontario, the limits of each inspectorate and the number of provincial inspectors to be appointed.

Provincial inspectors

- (2) Provincial inspectors shall be appointed by the Lieutenant Governor in Council upon the recommendation of the Minister.

R.S.O. 1960, c. 361, s. 81, re-enacted

**13.** Section 81 of *The Schools Administration Act*, as amended by section 10 of *The Schools Administration Amendment Act, 1964* and section 16 of *The Schools Administration Amendment Act, 1965*, is repealed and the following substituted therefor:

Municipal inspectors, public schools

- 81.—(1) Where the enrolment on the 30th day of September in any year of pupils in the public schools operated by a board in the classes where English is the language of instruction, or in the classes where,

with



with the approval of the Minister, both English and French are the languages of instruction, is 2,000 or more but less than 3,000, the board may request the Minister to designate the school section as a municipal inspectorate, and, if the request is granted, the school section shall become a municipal inspectorate for public school purposes on the 1st day of August of the following year and the board shall employ a school inspector in accordance with subsection 8.

- (2) Where the enrolment on the 30th day of September <sup>Idem</sup> in any year of pupils in the public schools operated by a board is 3,000 or more, of which at least 2,000 are either in the classes where English is the language of instruction, or in the classes where, with the approval of the Minister, both English and French are the languages of instruction, the school section shall become a municipal inspectorate for public school purposes on the 1st day of August of the following year and the board shall employ an adequate staff of school inspectors in accordance with subsection 8.
- (3) In the year 1968 and thereafter, where the enrolment <sup>Separate schools</sup> on the 30th day of September in any year of pupils in the separate schools in the classes where English is the language of instruction, or in the classes where, with the approval of the Minister, both English and French are the languages of instruction, operated by a board in a separate school zone is 2,000 or more but less than 3,000, the board may request the Minister to designate the zone as a municipal inspectorate for separate school purposes, and, if the request is granted, the zone shall become a municipal inspectorate for separate school purposes on the 1st day of August of the following year and the board shall employ a school inspector in accordance with subsection 8.
- (4) Where the enrolment on the 30th day of September <sup>Idem</sup> of pupils in the separate schools operated by a board in a separate school zone,
- (a) in the year 1965 was 40,000 or more;
- (b) in the year 1966 is 10,000 or more; and
- (c) in the year 1967 and thereafter is 3,000 or more, of which at least 2,000 are either in the classes where English is the language of

instruction,



instruction, or in the classes where, with the approval of the Minister, both English and French are the languages of instruction,

the zone shall become a municipal inspectorate for separate school purposes on the 1st day of August of the following year and the board shall employ an adequate staff of school inspectors in accordance with subsection 8.

Secondary  
schools

- (5) Where the enrolment on the 30th day of September in any year of pupils in the secondary schools operated by a board is 3,000 or more, the board may request the Minister to designate the high school district as a municipal inspectorate for secondary school purposes, and, if the request is granted, the high school district shall become a municipal inspectorate for secondary school purposes on the 1st day of August of the following year and the board shall employ an adequate staff of school inspectors in accordance with subsection 8.

Director of  
education

- (6) Where the enrolment on the 30th day of September in any year of pupils in the public and secondary schools operated by a board of education is 2,000 or more, the board may request the Minister to designate the school section as a municipal inspectorate, and, if the request is granted, the school section shall become a municipal inspectorate on the 1st day of August of the following year and the board shall appoint a director of education who shall be qualified as required by the regulations and who, under the direction of the board, shall be in charge of the schools under the jurisdiction of the board.

Idem

- (7) On or after the 1st day of September, 1967, where the enrolment on the 30th day of September in any year of pupils in the public and secondary schools operated by a board of education becomes 3,000 or more, the school section shall become a municipal inspectorate on the 1st day of August of the following year and the board shall appoint a director of education who shall be qualified as required by the regulations and who, under the direction of the board, shall be in charge of the schools under the jurisdiction of the board.

Number of  
inspectors

- (8) Where a school section, separate school zone or high school district is a municipal inspectorate, the board of the section, zone or district in respect of,

- (a) elementary school classes where English is the language of instruction;
- (b) elementary school classes where, with the approval of the Minister, English and French are the languages of instruction; and
- (c) secondary school classes,

shall employ, before the 1st day of August of the year following the year in which the enrolment of pupils on the 30th day of September in the classes referred to in clause *a*, *b* or *c* in the schools operated by the board was,

- (d) 2,000 or more but less than 3,500, at least one inspector;
- (e) 3,500 or more but less than 7,000, at least two inspectors,

and at least one additional inspector in respect of each additional 7,000 pupils of enrolment on the 30th day of September in classes referred to in clause *a*, *b* or *c*, as the case may be.

- (9) Where a municipal inspectorate has been established Provincial inspection for a school section or separate school zone and the board has in its schools both,

- (a) elementary school classes where English is the language of instruction; and
- (b) elementary school classes where, with the approval of the Minister, English and French are the languages of instruction,

and the enrolment of pupils in either of the classes designated in clause *a* or *b* is less than 2,000, the Minister may provide for provincial inspection services for such classes.

- (10) Where a municipal inspectorate has been established Idem for a high school district, the Minister may provide provincial inspection services for secondary school classes.

**14.** Section 82 of *The Schools Administration Act*, as R.S.O. 1960, c. 361, s. 82 re-enacted by section 17 of *The Schools Administration Amend-* (1965, c. 118, s. 17), re-enacted *ment Act, 1965*, is repealed and the following substituted therefor:

Super-intendents

82.—(1) Where a board appoints one or more inspectors, the board,

- (a) shall, in the case of public and secondary schools, designate one of the inspectors as superintendent of public or secondary schools, as the case may be;
- (b) shall, in the case of separate school classes where English is the language of instruction, appoint one of the inspectors as superintendent of such classes, and, in classes where English and French are the languages of instruction, appoint a superintendent of such classes; and
- (c) may assign to the superintendent and to each inspector such administrative duties, in addition to those prescribed in the regulations, as the board deems expedient.

Appoint-ment and removal of directors, super-intendents

- (2) The appointment or removal of a director, assistant director, superintendent, assistant superintendent or inspector is not effective until approved by the Minister, and the provisions of this Part respecting the suspension or removal of an inspector apply *mutatis mutandis* to a director, assistant director, superintendent and assistant superintendent.

R.S.O. 1960, c. 361, s. 99, subs. 5, re-enacted

**15.** Subsection 5 of section 99 of *The Schools Administration Act* is repealed and the following substituted therefor:

Application to treasurers

- (5) This section applies also to treasurers who meet to apportion costs between parts of a union school section, parts of a county, district or township school area or parts of a secondary school district.

Commence-ment

**16.**—(1) This Act, except sections 2, 3, 9, 11, 12, 13 and 14, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 11, 12, 13 and 14 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

(3) Section 9 comes into force on the 1st day of January, 1967.

Idem

(4) Sections 2 and 3 come into force on the 1st day of September, 1967.

Short title

**17.** This Act may be cited as *The Schools Administration Amendment Act, 1966*.

## CHAPTER 141

# An Act to amend The Secondary Schools and Boards of Education Act

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *c* of subsection 2 of section 1 of *The Secondary Schools and Boards of Education Act*, as enacted by subsection 2 of section 1 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960, c. 362, s. 1, subs. 2, cl. *c* (1964, c. 106, s. 1, subs. 2), re-enacted

- (*c*) if he resides and is assessed in the secondary school district or if he is over eighteen years of age and has resided in the secondary school district for the twelve months immediately before his admission to a secondary school in the secondary school district.

**2.** Clause *a* of subsection 2 of section 21 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 4 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is repealed and the following substituted therefor: R.S.O. 1960, c. 362, s. 21, subs. 2, cl. *a* (1965, c. 119, s. 4), re-enacted

(*a*) who is,

- (i) a member of any other elementary school board or board of education, or
- (ii) a member of the council of a municipality or county all or part of which is included in the high school district, or
- (iii) an elected member of a local board of a municipality or county all or part of which is included in the high school district,

and whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held unless before the

opening



opening of the nomination meeting he has filed his resignation with the secretary of the other school board or with the clerk of the municipality or county, as the case may be, or

- (iv) on the effective date of his appointment, a member of another high school board.

R.S.O. 1960,  
c. 362, s. 22,  
subs. 3  
(1965,  
c. 119, s. 5),  
re-enacted

**3.** Subsection 3 of section 22 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 5 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is repealed and the following substituted therefor:

Parts of  
municipality  
not rated  
for trustee

- (3) Where a part of a municipality is included in a high school district, it shall be deemed not to be a municipality for the purposes of subsections 1 and 2 unless the assessment of such part for secondary school purposes is at least 10 per cent of the total assessment for secondary school purposes in the municipality or in the high school district.

R.S.O. 1960,  
c. 362, s. 29,  
subs. 6,  
repealed

**4.** Subsection 6 of section 29 of *The Secondary Schools and Boards of Education Act* is repealed.

R.S.O. 1960,  
c. 362, s. 42,  
subs. 1,  
re-enacted

**5.** Subsection 1 of section 42 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Advisory  
vocational  
committee

- (1) Where, in accordance with the regulations, one or more schools to which this Part applies are established by a board, the schools shall be under the management and control of the board, and the board shall appoint an advisory vocational committee and shall consider recommendations submitted to it by the committee.

R.S.O. 1960,  
c. 362, s. 54,  
subs. 2,  
cl. a,  
amended

**6.** Clause *a* of subsection 2 of section 54 of *The Secondary Schools and Boards of Education Act* is amended by striking out "city" in the first line and in the second line and inserting in lieu thereof in each instance "municipality", so that the clause shall read as follows:

- (a) in a municipality having a population of 50,000 or more, the separate school board of the municipality shall appoint two members; and

. . . . .

R.S.O. 1960,  
c. 362, s. 55,  
subs. 1,  
cls. c, d,  
re-enacted

**7.**—(1) Clauses *c* and *d* of subsection 1 of section 55 of *The Secondary Schools and Boards of Education Act* are repealed and the following substituted therefor:

(c)



- (c) of 3,000 or more but less than 6,000 shall elect four members;
- (d) of 6,000 or more but less than 15,000 shall elect five members; and
- (e) of 15,000 or more shall elect seven members.

(2) Clauses *d* and *e* of subsection 2 of the said section 55 are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 362, s. 55,  
subs. 2,  
cls. *d*, *e*,  
re-enacted

- (d) of 6,000 or more but less than 10,000 shall elect four members;
- (e) of 10,000 or more but less than 15,000 shall elect five members;
- (f) of 15,000 or more but less than 25,000 shall elect six members; and
- (g) of 25,000 or more shall elect seven members.

(3) Subsection 3 of the said section 55 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 362, s. 55,  
subs. 3,  
re-enacted

- (3) Where a part of a municipality is included in a high school district, it shall be deemed not to be a municipality for the purposes of subsections 1 and 2 unless the assessment for secondary school purposes in such part is at least 10 per cent of the total assessment for secondary school purposes in the municipality or in the high school district, and any such part that is deemed not to be a municipality for the purposes of subsections 1 and 2 shall, for the purposes of the election of trustees and of voting on school matters, be deemed to be attached to the adjoining municipality all or part of which is included in the high school district or, where there are two or more such adjoining municipalities, to the municipality having the greatest assessment in the high school district as adjusted by the application of the latest equalization factors provided by the Department of Municipal Affairs, and the clerk of the municipality in which the part that is deemed not to be a municipality is situate shall furnish to the clerk of such adjoining municipality a certified copy of the list of voters qualified to vote on public school matters in such part of the municipality.

Parts not  
rated for  
trustee,  
attached to  
adjoining  
municipality  
for voting  
purposes

8.—(1) Subsection 4 of section 70 of *The Secondary Schools and Boards of Education Act*, as re-enacted by subsection 2 of section 15 of *The Secondary Schools and Boards of Education*

R.S.O. 1960,  
c. 362, s. 70,  
subs. 4  
(1965,  
c. 119, s. 15,  
subs. 2),  
amended

*Amendment Act, 1965*, is amended by striking out "subsection 3" in the fifth line and inserting in lieu thereof "subsection 4", so that the subsection shall read as follows:

Idem

- (4) Where a pupil other than one referred to in subsection 1, 2 or 3 attends a secondary school, the board that operates such school may require a fee to be paid by or on behalf of the pupil as provided in subsection 4 of section 100a of *The Schools Administration Act*.

R.S.O. 1960,  
c. 361

R.S.O. 1960,  
c. 362, s. 70,  
subs. 6  
(1965,  
c. 119, s. 15,  
subs. 4),  
re-enacted

- (2) Subsection 6 of the said section 70, as re-enacted by subsection 4 of section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is repealed and the following substituted therefor:

Limitation  
on right to  
attend  
without  
payment of  
fee

- (6) Notwithstanding subsections 1, 2 and 3 and section 68, where a pupil,

(a) has completed grade 8; and

(b) has attended one or more secondary schools for a total of seven or more years,

he shall not be admitted to a secondary school except upon the payment of a fee as provided in subsection 4 of section 100a of *The Schools Administration Act*.

R.S.O. 1960,  
c. 361

R.S.O. 1960,  
c. 362, s. 71,  
subs. 2  
(1965,  
c. 119, s. 16),  
amended

**9.** Subsection 2 of section 71 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 16 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out "subsection 3" in the eighteenth line and inserting in lieu thereof "subsection 4", so that the subsection shall read as follows:

Where fee  
payable

- (2) Where a child who has been promoted or transferred to a secondary school and who is in the custody of a corporation, society or person resides in a secondary school district and is not qualified for admission to a secondary school in that district under any other provision of this Act or pursuant to an agreement under subsection 2 of section 30 and the secondary school inspector certifies that there is sufficient accommodation in a secondary school in that secondary school district or pursuant to an agreement under subsection 2 of section 30 for the current school year, the board of the district, or the board of the secondary school district with which an agreement has been made under subsection 2 of section 30, shall admit the child to a secondary school

upon

upon the prepayment monthly by the corporation, society or person of a fee as provided in subsection 4 of section 100a of *The Schools Administration Act*.

R.S.O. 1960,  
c. 361

**10.**—(1) Subsection 1 of section 76 of *The Secondary Schools and Boards of Education Act* is amended by inserting after “a” where it occurs the second time in the first line “secondary school”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 362, s. 76,  
subs. 1,  
amended

- (1) The council of a county may establish a secondary school consultative committee, which shall consist of the public school inspector or one of them where there are more than one in the county, a person appointed by the Minister, and three other persons appointed by the council.

Secondary  
school  
consultative  
committee in  
county

(2) Subsection 4 of the said section 76 is amended by striking out “county” in the fourth line, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 362, s. 76,  
subs. 4,  
amended

- (4) All secondary school boards having jurisdiction within the county shall, on the request of the committee, furnish to the committee information regarding the names, residences and attendance of all resident and other pupils and of all revenues and expenditures together with any further information that the committee may require concerning matters in any way affecting the provision of secondary school education in the county.

Information  
to be  
supplied to  
committee

**11.**—(1) This Act, except section 4, subsection 1 of section 8 and section 9, comes into force on the day it receives Royal Assent.

Commence-  
ment

(2) Subsection 1 of section 8 and section 9 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

(3) Section 4 comes into force on the 1st day of January, 1967.

Idem

**12.** This Act may be cited as *The Secondary Schools and Boards of Education Amendment Act, 1966*.

Short title



## CHAPTER 142

**The Securities Act, 1966**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.—(1) In this Act,**

Interpre-  
tation

1. "associate", where used to indicate a relationship with any person or company, means,
  - i. any company of which such person or company beneficially owns, directly or indirectly, equity shares carrying more than 10 per cent of the voting rights attached to all equity shares of the company for the time being outstanding,
  - ii. any trust or estate in which such person or company has a substantial beneficial interest or as to which such person or company serves as trustee or in a similar capacity, or
  - iii. any relative or spouse of such person or any relative of such spouse who, in any such case, has the same home as such person;
2. "broker" means any person or company trading in securities in the capacity of an agent that is a member of a stock exchange in Ontario recognized by the Commission, or any person or company trading in securities in the capacity of an agent that is recognized by the Commission as a broker;
3. "broker-dealer" means any person or company that is a member of the Broker-Dealers' Association of Ontario, or any person or company that is recognized by the Commission as a broker-dealer that engages either for the whole or part of his or its time in the business of trading in securities in the capacity of an agent or principal;



4. "Commission" means the Ontario Securities Commission;
5. "company" means any incorporated corporation, incorporated association, incorporated syndicate or other incorporated organization;
6. "Director" means the Director or any Deputy Director of the Commission;
7. "equity share" means any share of any class of shares of a company carrying voting rights under all circumstances and any share of any class of shares carrying voting rights by reason of the occurrence of any contingency that has occurred and is continuing;
8. "form of proxy" means a written or printed form that, upon completion and execution by or on behalf of a shareholder, becomes a proxy;
9. "individual" means a natural person, but does not include a trustee, partnership, unincorporated association, unincorporated organization, unincorporated syndicate, executor, administrator or other legal personal representative;
10. "investment counsel" means any person or company that engages in or holds himself or itself out as engaging in the business of advising others as to the advisability of investing in or purchasing or selling specific securities and that is primarily engaged in giving continuous advice as to the investment of funds on the basis of the individual needs of each client;
11. "investment dealer" means any person or company that is a member, branch office member or associate member of the Ontario District of the Investment Dealers' Association of Canada or any person or company recognized by the Commission as an investment dealer that engages either for the whole or part of his or its time in the business of trading in securities in the capacity of an agent or principal;
12. "Minister" means the Minister of Financial and Commercial Affairs or such other member of the Executive Council to whom the administration of this Act may be assigned;
13. "officer" means the chairman or any vice-chairman of the board of directors, the president, vice-president, secretary, assistant secretary, treasurer, assis-

tant treasurer or general manager of a company, or any other person designated an officer of a company by by-law or similar authority;

14. "official" means the president, vice-president, secretary, treasurer or general manager of a company;
15. "person" means an individual, partnership, unincorporated association, unincorporated organization, unincorporated syndicate, trustee, executor, administrator or other legal personal representative;
16. "primary distribution to the public", used in relation to trading in securities, means,

- i. trades that are made for the purpose of distributing to the public securities issued by a company and not previously distributed, or
- ii. trades in previously issued securities for the purpose of distributing such securities to the public where the securities form all or a part of or are derived from the holdings of any person, company or any combination of persons or companies holding a sufficient number of any of the securities of a company to materially affect the control of such company,

whether such trades are made directly to the public or indirectly to the public through an underwriter or otherwise, and includes any transaction or series of transactions involving a purchase and sale or a repurchase and resale in the course of or incidental to such distribution;

17. "private company" means a company in whose instrument of incorporation,
  - i. the right to transfer its shares is restricted,
  - ii. the number of its shareholders, exclusive of persons who are in its employment and exclusive of persons who, having been formerly in the employment of the company, were, while in that employment, and have continued after the termination of that employment to be, shareholders of the company, is limited to not more than fifty, two or more persons who are the joint registered owners of one or more shares being counted as one shareholder, and

iii.

- iii. any invitation to the public to subscribe for its securities is prohibited;

18. "promoter" means,

- i. a person or company that, acting alone or in conjunction with one or more other persons, companies or a combination thereof, directly or indirectly takes the initiative in founding, organizing or substantially reorganizing the business or enterprise of a person or company, or
- ii. a person or company that, in connection with the founding, organizing or substantial reorganizing of the business or enterprise of a person or company, directly or indirectly receives in consideration of services or property, or both services and property, 10 per cent or more of any class of securities of the person or company or 10 per cent or more of the proceeds from the sale of any class of securities of a particular issue; provided that a person or company who receives such securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not be deemed a promoter within the meaning of this definition if such person or company does not otherwise take part in founding, organizing or substantially reorganizing the business or enterprise;

- 19. "proxy" means a completed and executed form of proxy by means of which a shareholder has appointed a person as his nominee to attend and act for him and on his behalf at a meeting of shareholders;
- 20. "public company" means a company that is not a private company;
- 21. "register" means register under this Act, and "registered" has a corresponding meaning;
- 22. "registrant" means a person or company registered or required to be registered under this Act;
- 23. "Registrar" means the Registrar of the Commission;
- 24. "regulations" means the regulations made under this Act;

25. "salesman" means an individual registered as a salesman under this Act;
26. "securities adviser" means any person or company that engages in or holds himself or itself out as engaging in the business of advising others, either directly or through publications or writings, as to the advisability of investing in or purchasing or selling specific securities;
27. "security" includes,
  - i. any document, instrument or writing commonly known as a security,
  - ii. any document constituting evidence of title to or interest in the capital, assets, property, profits, earnings or royalties of any person or company,
  - iii. any document constituting evidence of an interest in an association of legatees or heirs,
  - iv. any document constituting evidence of an option, subscription or other interest in or to a security,
  - v. any bond, debenture, share, stock, note, unit, unit certificate, participation certificate, certificate of share or interest, pre-organization certificate or subscription,
  - vi. any agreement providing that money received will be repaid or treated as a subscription to shares, stock, units or interests at the option of the recipient or of any person or company,
  - vii. any certificate of share or interest in a trust, estate or association,
  - viii. any profit-sharing agreement or certificate,
  - ix. any certificate of interest in an oil, natural gas or mining lease, claim or royalty voting trust certificate,
  - x. any oil or natural gas royalties or leases or fractional or other interest therein,
  - xi. any collateral trust certificate,

R.S.O. 1960,  
c. 194

xii. any income or annuity contract not issued by an insurance company or an issuer within the meaning of *The Investment Contracts Act*, and

xiii. any investment contract, other than an investment contract within the meaning of *The Investment Contracts Act*,

whether any of the foregoing relate to a person, proposed company or company, as the case may be;

28. "security issuer" means a person or company that engages in the primary distribution to the public of securities of its own issue;

29. "senior officer" means,

i. the chairman or any vice-chairman of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a company or any other individual who performs functions for the company similar to those normally performed by an individual occupying any such office, and

ii. each of the five highest paid employees of a company, including any individual referred to in subparagraph i;

30. "sub-broker-dealer" means an individual who, being retired from active business or as incidental to his principal occupation and as correspondent of any investment dealer or broker-dealer or both, trades in securities for a part of his time in the capacity of an agent or principal;

31. "trade" or "trading" includes,

i. any sale or disposition of or other dealing in or any solicitation in respect of a security for valuable consideration, whether the terms of payment be on margin, instalment or otherwise, or any attempt to do one of the foregoing,

ii. any participation as a floor trader in any transaction in a security upon the floor of any stock exchange,

iii.



- iii. any receipt by a person or company registered for trading in securities under this Act of an order to buy or sell a security, and
- iv. any act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing;

32. "underwriter" means a person or company who, as principal, purchases securities from a person or company with a view to, or who as agent for a person or company offers for sale or sells securities in connection with, a primary distribution to the public of such securities, and includes a person or company who has a direct or indirect participation in any such distribution, but does not include a person or company whose interest in the transaction is limited to receiving the usual and customary distributors' or sellers' commission payable by an underwriter. R.S.O. 1960, c. 363, s. 1; 1962-63, c. 131, s. 1, *amended*.

(2) A company shall be deemed to be an affiliate of another <sup>Affiliated companies</sup> company if one of them is the subsidiary of the other or if both are subsidiaries of the same company or if each of them is controlled by the same person or company.

(3) A company shall be deemed to be controlled by another <sup>Controlled companies</sup> person or company or by two or more companies if,

(a) equity shares of the first-mentioned company carrying more than 50 per cent of the votes for the election of directors are held, otherwise than by way of security only, by or for the benefit of such other person or company or by or for the benefit of such other companies; and

(b) the votes carried by such shares are sufficient, if exercised, to elect a majority of the board of directors of the first-mentioned company.

(4) A company shall be deemed to be a subsidiary of another <sup>Subsidiary companies</sup> company if,

(a) it is controlled by,

(i) that other, or

(ii) that other and one or more companies each of which is controlled by that other, or

(iii)

(iii) two or more companies each of which is controlled by that other; or

(b) it is a subsidiary of a company that is that other's subsidiary.

Holding  
companies

(5) A company shall be deemed to be another's holding company or parent company if that other is its subsidiary.

Beneficial  
ownership  
of securities

(6) A person shall be deemed to own beneficially securities beneficially owned by a company controlled by him or by an affiliate of such company.

Idem

(7) A company shall be deemed to own beneficially securities beneficially owned by its affiliates. *New.*

## PART I

### THE COMMISSION

Commission

**2.**—(1) The Commission, which shall be responsible for the administration of this Act, shall be composed of a Chairman and not more than four other members, one of whom shall be designated as Vice-Chairman.

Appoint-  
ment

(2) The members of the Commission shall be appointed by the Lieutenant Governor in Council. R.S.O. 1960, c. 363, s. 2 (1); 1965, c. 120, s. 1 (1), *amended*.

Quorum

(3) Two members of the Commission constitute a quorum. 1962-63, c. 131, s. 2.

Chairman  
and  
members

**3.** The Chairman, who shall be the chief executive officer of the Commission, shall devote his full time to the work of the Commission, and the other members shall devote such time as may be necessary for the due performance of their duties as members of the Commission. 1965, c. 120, s. 1 (2), *amended*.

Functions  
of Director

**4.** The Director or any Deputy Director may exercise the powers and shall perform the duties vested in or imposed upon him by this Act, and he may exercise the powers and shall perform the duties vested in or imposed upon the Commission by this Act or the regulations that are assigned to him by the Commission except those referred to in sections 21 to 28, and, subject to the direction of the Commission, he shall be the chief administrative officer of the Commission. 1962-63, c. 131, s. 3, *part, amended*.

Rules  
as to  
hearings

**5.** At a hearing required or permitted under this Act to be held before the Commission or the Director, the following rules apply:

1. In addition to any other person or company to whom notice is required to be given, notice in writing of the time, place and purpose of the hearing shall be given to any person or company that, in the opinion of the Commission or the Director, is primarily affected by such hearing, and any such notice is sufficient if sent to such person or company by prepaid mail at the last address of such person or company appearing on the records of the Commission or, if not so appearing, to such address as is directed by the Commission or the Director.
2. At the hearing, the person presiding has, for the purpose of such hearing, the same authority, powers, rights and privileges as a person appointed to make an investigation under section 21.
3. At the hearing, the person presiding shall receive such evidence as is submitted by a person or company to whom notice has been given or by any other person or company that is relevant to the hearing, but the person presiding is not bound by the legal or technical rules of evidence.
4. At the hearing or hearing and review by the Commission, all oral evidence received shall be taken down in writing and together with such documentary evidence and things as are received in evidence by the Commission shall form the record.
5. Where the direction, decision, order or ruling made after a hearing adversely affects the right of a person or company to trade in securities, the person presiding at such hearing shall, at the request of such person or company, issue written reasons for the direction, decision, order or ruling.
6. Notice of every direction, decision, order or ruling, together with a copy of the written reasons therefor, if any, shall be given upon the issuance thereof to a person or company to whom notice of the hearing was given and to a person or company that, in the opinion of the person who presided at the hearing, is primarily affected thereby, and any such notice is sufficient if sent to such person or company by prepaid mail at the last address of such person or company appearing on the records of the Commission or, if not so appearing, to such address as is directed by the Commission or the Director.

7. A person or company attending or submitting evidence at a hearing pursuant to item 1 may be represented by counsel. *New.*

## PART II

### REGISTRATION

Persons and  
companies  
required to  
register for  
trading in  
securities

**6.—(1)** No person or company shall,

- (a) notwithstanding clause *d*, trade in a security unless such person or company is registered as a broker, investment dealer, broker-dealer, sub-broker-dealer or security issuer or as a salesman of a registered broker, investment dealer, broker-dealer or security issuer;
- (b) act as a partner or officer of or on behalf of a person or company in connection with a trade in a security by such person or company unless such person or company is registered for trading in securities;
- (c) act as a salesman of or on behalf of a person or company in connection with a trade in a security by such person or company unless he is registered as a salesman of such person or company and such person or company is registered as a broker, investment dealer, broker-dealer or security issuer;
- (d) act as an underwriter unless such person or company is registered as an underwriter, broker-dealer or investment dealer or is a bank to which the *Bank Act* (Canada) applies;
- (e) act as investment counsel or securities adviser unless such person or company is registered as an investment counsel or securities adviser; or
- (f) advise others by means of a publication or writing as to the advisability of investing in or purchasing or selling a security specified therein unless such person or company is registered or is exempted from registration,

1953-54,  
c. 48 (Can.)

and such registration has been made in accordance with this Act and the regulations and such person or company has received written notice of such registration from the Registrar and, where such registration is subject to terms and conditions, the person or company complies with such terms and conditions. R.S.O. 1960, c. 363, s. 6 (1), *amended*.



(2) Where a person or company is registered as a broker, investment dealer, broker-dealer, underwriter, investment counsel or securities adviser, every partner or officer of such person or company may act as a broker, investment dealer, broker-dealer, underwriter, investment counsel or securities adviser, as the case may be, on behalf of such person or company without separate registration, and, where a company is registered as a security issuer, the officials thereof who are designated by the Director as trading officials may act on its behalf in connection with a trade in a security by such company without separate registration. R.S.O. 1960, c. 363, s. 6 (2); 1962-63, c. 131, s. 4 (1), *amended*. Where separate registration of partners, officers and officials not required

(3) No individual who becomes a partner or officer of a person or company after such person or company has been registered shall trade in securities until such person or company has received from the Registrar written permission for such partner or officer so to trade. R.S.O. 1960, c. 363, s. 6 (3). New partners or officers must be approved

(4) The termination of the employment of a salesman with a person or company registered for trading in securities shall operate as a withdrawal of the registration of the salesman until notice in writing has been received by the Registrar from another person or company registered for trading in securities of the employment of the salesman by such other person or company and the employment has been approved by the Director. R.S.O. 1960, c. 363, s. 6 (4); 1962-63, c. 131, s. 4 (2), *amended*. Termination of employment of salesman

(5) The Director may designate as "non-trading" any employee or class of employees of a person or company registered for trading in securities who do not usually sell securities to the public, but the designation may be cancelled as to any employee or class of employees where the Director is satisfied that any such employee or member of any such class of employees should be required to apply for registration as a salesman. R.S.O. 1960, c. 363, s. 20 (2), *amended*. Non-trading employees

**7.—**(1) The Director shall grant registration or renewal of registration to an applicant where in the opinion of the Director the applicant is suitable for registration and the proposed registration is not objectionable. R.S.O. 1960, c. 363, s. 7; 1962-63, c. 131, s. 5 (1). Registration

(2) The Director shall not refuse to grant or refuse to renew registration without giving the applicant an opportunity to be heard. 1962-63, c. 131, s. 5 (2). Refusal of registration

(3) The Director may in his discretion restrict a registration by imposing terms and conditions thereon and, without limiting the generality of the foregoing, may restrict the duration of a registration and may restrict the registration to trades in certain securities or a certain class of securities. *New*. Restrictions on registration



Suspension,  
cancellation

**8.** The Director, after giving the registrant an opportunity to be heard, shall suspend or cancel any registration where in his opinion such action is in the public interest, but, where the granting of an opportunity to be heard would in his opinion be prejudicial to the public interest, he may suspend any registration without giving the registrant an opportunity to be heard, in which case he shall forthwith notify the registrant of the suspension and of a hearing and review to be held before the Commission within fifteen days of the date of the suspension, which hearing and review shall be deemed to be a hearing and review under section 28. 1962-63, c. 131, s. 6.

Further  
application  
for  
registration

**9.** A further application for registration may be made upon new or other material or where it is clear that material circumstances have changed. 1962-63, c. 131, s. 7.

Application  
to be upon  
forms with  
proper fees

**10.** An application for registration shall be made in writing upon a form prescribed by the regulations and provided by the Commission, and shall be accompanied by such fee as may be prescribed by the regulations. R.S.O. 1960, c. 363, s. 10.

Address  
for service

**11.** Every applicant shall state in the application an address for service in Ontario and, except as otherwise provided in this Act, all notices under this Act or the regulations are sufficiently served for all purposes if delivered or sent by prepaid mail to the latest address for service so stated. R.S.O. 1960, c. 363, s. 11.

Further  
information

**12.** The Director may require any further information or material to be submitted by an applicant or a registrant within a specified time and may require verification by affidavit or otherwise of any information or material then or previously submitted or may require the applicant or the registrant or any partner, officer, director or employee of the applicant or of the registrant to submit to examination under oath by a person designated by the Director. R.S.O. 1960, c. 363, s. 12; 1962-63, c. 131, s. 8, *amended*.

Appoint-  
ment of  
experts

**13.—(1)** The Commission may appoint one or more experts to assist the Commission in such manner as it may deem expedient. R.S.O. 1960, c. 363, s. 13 (1).

Submission  
of docu-  
ments to  
experts

**(2)** The Commission may submit any agreement, prospectus, financial statement, report or other document to one or more experts appointed under subsection 1 for examination, and the Commission has the like power to summon and enforce the attendance of witnesses before the expert and to compel them to produce documents, records and things as is vested in the Commission, and subsections 3 and 4 of section 21 apply *mutatis mutandis*. R.S.O. 1960, c. 363, s. 13 (2), *amended*.

(3) An expert appointed under subsection 1 shall be paid such amounts for services and expenses as the Lieutenant Governor in Council may determine. R.S.O. 1960, c. 363, s. 13 (3). <sup>Payment for services</sup>

**14.**—(1) The Director may refuse registration to a person if he has not been a resident of Canada for at least one year immediately prior to the date of application for registration and if he is not a resident of Ontario at the date of such application unless at the time of such application such person is registered in a capacity corresponding to that of a broker, investment dealer, underwriter, broker-dealer, sub-broker-dealer, security issuer, investment counsel, securities adviser or salesman under the securities laws of the jurisdiction in which he last resided and has been so registered for a period of not less than one year immediately preceding the date of the application and is, in the opinion of the Director, otherwise suitable for registration. <sup>Residence</sup>

(2) The Director may refuse registration to a company or partnership if every officer and director or every partner has not been a resident of Canada for at least one year immediately prior to the date of application for registration and if he is not a resident of Ontario at the date of such application unless at the time of such application he is registered in a capacity corresponding to that of a broker, investment dealer, underwriter, broker-dealer, sub-broker-dealer, security issuer, investment counsel, securities adviser or salesman under the securities laws of the jurisdiction in which he last resided and has been so registered for a period of not less than one year immediately preceding the date of the application and is, in the opinion of the Director, otherwise suitable for registration. <sup>Idem</sup> *New.*

(3) For the purposes of this section, a person shall not be deemed to cease to reside in Ontario by reason only of his absence from Ontario as a member of the Canadian Forces. R.S.O. 1960, c. 363, s. 14 (3), *amended*. <sup>Servicemen</sup>

**15.**—(1) Every registered broker, investment dealer and broker-dealer shall, within five days of the event, notify the Registrar in writing of, <sup>Where Registrar to be notified</sup>

(a) any change in address for service or any business address;

(b) any change in the officers, directors or shareholders of a company or partners of a partnership;

(c)

- (c) the commencement and termination of employment of every salesman and, in the case of termination of employment, the reason therefor;
- (d) the opening or closing of any branch office and, in the case of the opening of any branch office, the name and address of the person in charge thereof; and
- (e) any change in the name or address of the person in charge of any branch office.

Idem

(2) Every registered security issuer shall, within five days of the event, notify the Registrar in writing of,

- (a) any change in address for service or any business address;
- (b) any change in its officials; and
- (c) the commencement and termination of employment of every salesman and, in the case of termination of employment, the reason therefor.

Idem

(3) Every registered investment counsel, securities adviser and underwriter shall, within five days of the event, notify the Registrar in writing of,

- (a) any change in address for service or any business address; and
- (b) any change in the officers, directors or shareholders of a company or partners of a partnership.

Idem

(4) Every registered salesman shall, within five days of the event, notify the Registrar in writing of,

- (a) any change in his address for service or in his business address; and
- (b) every commencement and termination of his employment by a registrant.

Idem

(5) Every registered sub-broker-dealer shall, within five days of the event, notify the Registrar in writing of any change in his address for service or in his business address. R.S.O. 1960, c. 363, s. 16, *amended*.

Exemption

(6) Notwithstanding subsections 1 and 3, the Director may grant an exemption, upon such terms and conditions as he sees fit, from the requirement to notify the Registrar of any changes in shareholders if the registrant is a public company. *New*.

**16.** The Director shall cause all cash, cheques, money orders and postal notes to be deposited with the Treasurer of Ontario for payment into the Consolidated Revenue Fund. R.S.O. 1960, c. 363, s. 17 (1), *amended*. Director to make deposits

**17.** Where an application for a registration is refused, a registration is cancelled or a receipt for a prospectus is not obtained, the Director may recommend to the Treasurer of Ontario that a refund of the fee or of such part thereof as he deems fair and reasonable be made, and the Treasurer may make such refund from the Consolidated Revenue Fund. R.S.O. 1960, c. 363, s. 17 (2), *amended*. Refunds

#### EXEMPTION FROM REGISTRATION

**18.** Registration as an investment counsel or securities adviser is not required to be obtained by, Exemptions from registration as investment counsel or security adviser:

- (a) a bank to which the *Bank Act* (Canada) applies, or the Industrial Development Bank incorporated under the *Industrial Development Bank Act* (Canada), or a loan corporation or trust company registered under *The Loan and Trust Corporations Act*, or an insurance company licensed under *The Insurance Act*; banks, loan, trust and insurance companies 1953-54, c. 48 (Can.) R.S.C. 1952, c. 151 R.S.O. 1960, cc. 222, 190
- (b) a lawyer, accountant, engineer or teacher whose performance of such services is solely incidental to the practice of his profession; lawyers, accountants, engineers and teachers
- (c) a person or company registered for trading in securities under this Act, or any partner, officer or employee thereof, whose performance of such services is solely incidental to the conduct of his or its business as such; persons or companies registered for trading in securities, etc.
- (d) a publisher of any *bona fide* newspaper, news magazine or business or financial publication of general and regular paid circulation distributed only to subscribers thereto for value or to purchasers thereof, who gives advice as an investment counsel or securities adviser only through such publication and has no interest either directly or indirectly in any of the securities upon which the advice is given and receives no commission or other consideration for giving the advice and who gives the advice as solely incidental to the conduct of his business as a publisher; or certain publishers
- (e) such other persons or companies as are designated by the regulations. R.S.O. 1960, c. 363, s. 18, *amended*. persons or companies designated by regulations



Trades  
exempt  
from  
registration

**19.**—(1) Subject to the regulations, registration is not required in respect of the following trades:

1. A trade in a security by an executor, administrator, guardian or committee or by an authorized trustee or assignee, an interim or official receiver or a custodian under the *Bankruptcy Act* (Canada), or by a receiver under *The Judicature Act* or by a liquidator under *The Corporations Act* or the *Winding-up Act* (Canada), or at a judicial sale.
2. An isolated trade in a specific security by or on behalf of the owner, for the owner's account, where such trade is not made in the course of continued and successive transactions of a like nature, and is not made by a person or company whose usual business is trading in securities.
3. A trade where one of the parties is a bank to which the *Bank Act* (Canada) applies, or the Industrial Development Bank incorporated under the *Industrial Development Bank Act* (Canada), or a loan corporation or trust company registered under *The Loan and Trust Corporations Act*, or an insurance company licensed under *The Insurance Act*, or is an officer or employee, in the performance of his duties as such, of Her Majesty in right of Canada, or of any province or territory of Canada, or of any municipal corporation or public board or commission in Canada, or any other trade where the purchaser or proposed purchaser is a person, other than an individual, or a company recognized by the Commission as an exempt purchaser.
4. A trade by or for the account of a pledgee, mortgagee or other encumbrancer for the purpose of liquidating a *bona fide* debt by selling or offering for sale a security pledged, mortgaged or otherwise encumbered in good faith as security for the debt.
5. A trade in a security that may occasionally be transacted by employees of a person or company registered for trading in securities under this Act where the employees do not usually sell securities to the public and have been designated by the Director as "non-trading" employees, either individually or as a class.
6. A trade between a person or company and an underwriter acting as purchaser, and trades between or among underwriters.

R.S.C. 1952,  
co. 14, 296  
R.S.O. 1960,  
co. 197, 71

1953-54,  
c. 48 (Can.)  
R.S.C. 1952,  
c. 151

R.S.O. 1960,  
co. 222, 190



7. A trade in a security by a person or company acting solely through an agent who is a person or company registered for trading in securities under this Act.
8.
  - i. A trade in a security of its own issue that is distributed or issued by a company to holders of its securities as a stock dividend or other distribution out of earnings or surplus,
  - ii. A trade in a security whether of its own issue or not that is distributed or issued by a company to holders of its securities as incidental to a *bona fide* re-organization or winding-up of such company or distribution of its assets for the purpose of winding-up its affairs, or
  - iii. The sale by a company of its securities pursuant to the exercise of a right, transferable or otherwise, granted by the company to holders of its securities to purchase additional securities of its own issue if the company has given the Commission written notice stating the date, amount, nature and conditions of the proposed sale, including the approximate net proceeds to be derived by the company on the basis of such additional securities being fully taken up and paid for, and either,
    - (a) the Commission has not informed the company in writing within ten days of the giving of such notice that it objects to the sale; or
    - (b) information satisfactory to the Commission relating to the securities has been delivered to and accepted by the Commission,

provided that, with respect to any trade referred to in subparagraph i or ii, no commission or other remuneration is paid or given to others in respect of such distribution or issuance except for ministerial or professional services or for services performed by a person or company registered for trading in securities under this Act.

9. A trade in a security of a company that is exchanged by or for the account of such company with another company or the holders of the securities of such other company in connection with a consolidation, amalgamation, merger or re-organization of either company or in connection with a take-over bid as defined in Part IX.

10. A trade by a company of securities of its own issue with its employees or the employees of an affiliate who are not induced to trade by expectation of employment or continued employment.
11. A trade in respect of which the regulations provide that registration is not required. R.S.O. 1960, c. 363, s. 19 (1); 1962-63, c. 131, s. 10 (1), *amended*.

Trades in  
securities  
exempt from  
registration

- (2) Subject to the regulations, registration is not required to trade in the following securities:

1. Bonds, debentures or other evidences of indebtedness,

- (a) of or guaranteed by the government of Canada or any province of Canada or by the government of the United Kingdom or any foreign country or any political division thereof;

- (b) of any municipal corporation in Canada, including debentures issued for public, separate, high or vocational school purposes, or guaranteed by any municipal corporation in Canada, or secured by or payable out of rates or taxes levied under the law of any province of Canada on property in such province and collectable by or through the municipality in which such property is situated;

1953-54,  
c. 48 (Can.)

R.S.O. 1960,  
cc. 222, 190

- (c) of or guaranteed by a bank to which the *Bank Act* (Canada) applies, a trust company or loan corporation registered under *The Loan and Trust Corporations Act* or an insurance company licensed under *The Insurance Act*; or

R.S.C. 1952,  
c. 19

- (d) of or guaranteed by the International Bank for Reconstruction and Development established by the Agreement for an International Bank for Reconstruction and Development approved by the *Bretton Woods Agreements Act* (Canada), if the bonds, debentures or evidences of indebtedness are payable in the currency of Canada or the United States of America.

2. Certificates or receipts of a trust company registered under *The Loan and Trust Corporations Act* issued for moneys received for guaranteed investment.

3. Negotiable promissory notes or commercial paper maturing not more than one year from the date of issue, provided that each such note or commercial paper traded to an individual has a denomination or principal amount of not less than \$50,000.
4. Mortgages or other encumbrances upon real or personal property, other than mortgages or other encumbrances contained in or secured by a bond, debenture or similar obligation or in a trust deed or other instrument to secure bonds or debentures or similar obligations, if such mortgages or other encumbrances are not offered for sale to the public except by a person or company registered under *The Real Estate and Business Brokers Act*. <sup>R.S.O. 1960, c. 344</sup>
5. Securities evidencing indebtedness due under any conditional sales contract or other title retention contract providing for the acquisition of personal property if such securities are not offered for sale to the public.
6. Securities issued by a person or company organized exclusively for educational, benevolent, fraternal, charitable, religious or recreational purposes and not for profit, where no part of the net earnings of such person or company enure to the benefit of any security holder.
7. Securities issued by corporations operated on a co-operative basis as defined by Part V of *The Corporations Act*. <sup>R.S.O. 1960, c. 71</sup>
8. Shares of a credit union within the meaning of *The Credit Unions Act*. <sup>R.S.O. 1960, c. 79</sup>
9. Securities of a private company issued by the private company if the securities are not offered for sale to the public.
10. Securities issued and sold by a prospector for the purpose of financing a prospecting expedition.
11. Securities issued by a prospecting syndicate where such securities are sold by the prospector or one of the prospectors who staked the claims that belong to or are the subject of a declaration of trust in favour of the prospecting syndicate within the meaning of Part VI, provided that a prospecting syndicate agreement relating to the prospecting syndicate has

been

been filed and a receipt therefor issued by the Registrar, and provided that the prospector delivers a copy of the prospecting syndicate agreement to the person or company purchasing the security before accepting payment therefor.

12. Securities of a prospecting syndicate within the meaning of Part VI, issued by the prospecting syndicate, where a prospecting syndicate agreement relating to the prospecting syndicate has been filed and a receipt therefor issued by the Registrar if such securities are not offered for sale to the public and are sold to not more than fifty persons or companies.

13. Securities in respect of which the regulations provide that registration is not required. R.S.O. 1960, c. 363, s. 19 (2); 1962-63, c. 131, s. 10 (2, 3).

**Private  
placement**

(3) Subject to the regulations, registration is not required in respect of a trade where the purchaser is a person, other than an individual, or company who purchases for investment only and not with a view to resale or distribution, if the trade is in a security which has an aggregate acquisition cost to such purchaser of not less than \$97,000.

**Idem**

(4) For the purpose of subsection 3, a direct solicitation of or negotiation with a person or company with a view to effecting a sale is not a trade within the meaning of paragraph 31 of subsection 1 of section 1. *New.*

**Denial of  
exemptions**

(5) Notwithstanding subsections 1, 2 and 3, the Commission may, where in its opinion such action is in the public interest,

(a) order that subsection 1 or 3 shall not, with respect to such of the trades referred to in that subsection as are specified in the order, apply to the person or company named in the order;

(b) order that subsection 2 shall not, with respect to such of the securities referred to in that subsection as are specified in the order, apply to the person or company named in the order. 1962-63, c. 131, s. 10 (4).

**Hearing**

(6) No order shall be made under subsection 5 without a hearing, unless in the opinion of the Commission the length of time required for a hearing could be prejudicial to the public interest, in which event a temporary order may be made which shall expire fifteen days from the date of the making thereof.



(7) Notice of a temporary order made under subsection 6 shall be given forthwith together with the notice of hearing required by paragraph 1 of section 5 to every person or company that in the opinion of the Commission is primarily affected thereby. *New.* <sup>Notice of temporary order</sup>

**20.**—(1) The Commission may, where in its opinion such action is not prejudicial to the public interest, order, subject to such terms and conditions as it may impose, that sections 6 and 35 do not apply to any trade, security, person or company, as the case may be, named in the order. <sup>Exemption by Commission</sup>

(2) A notice of each order made under subsection 1 and a summary of the facts relating thereto shall be published by the Commission as soon as practicable after such order is made, and such order shall be laid before the Assembly if it is in session. *New.* <sup>Notice of order</sup>

### PART III

#### INVESTIGATION AND ACTION BY COMMISSION

**21.**—(1) Where upon a statement made under oath it appears probable to the Commission that any person or company has, <sup>Order to investigate</sup>

(a) contravened any of the provisions of this Act or the regulations; or

(b) committed an offence under the *Criminal Code* <sup>1953-54, c. 51 (Can.)</sup> in connection with a trade in securities,

the Commission may by order appoint any person to make such investigation as it deems expedient for the due administration of this Act, and in the order shall determine and prescribe the scope of the investigation. R.S.O. 1960, c. 363, s. 21 (1).

(2) The Commission may, with the consent of the Minister, <sup>Idem</sup> by order appoint any person to make such investigation as it deems expedient for the due administration of this Act or into any matter relating to a trade in securities, and in such order shall determine and prescribe the scope of the investigation. 1962-63, c. 131, s. 11 (1), *amended.*

(3) For the purposes of any investigation ordered under this section, the person appointed to make the investigation may investigate, inquire into and examine, <sup>Scope of investigation</sup>

(a) the affairs of the person or company in respect of which the investigation is being made and any books, papers, documents, correspondence, communications,

negotiations,



negotiations, transactions, investigations, loans, borrowings and payments to, by, on behalf of or in relation to or connected with such person or company and any property, assets or things owned, acquired or alienated in whole or in part by such person or company or by any person or company acting on behalf of or as agent for such person or company; and

- (b) the assets at any time held, the liabilities, debts, undertakings and obligations at any time existing, the financial or other conditions at any time prevailing in or in relation to or in connection with any such person or company and the relationship that may at any time exist or have existed between such person or company and any other person or company by reason of investments, commissions promised, secured or paid, interests held or acquired, the loaning or borrowing of money, stock or other property, the transfer, negotiation or holding of stock, interlocking directorates, common control, undue influence or control or any other relationship. R.S.O. 1960, c. 363, s. 21 (2); 1962-63, c. 131, s. 11 (2), *amended*.

Power to  
summon  
witnesses  
and require  
production

- (4) The person making an investigation under this section has the same power to summon and enforce the attendance of witnesses and compel them to give evidence on oath or otherwise, and to produce documents, records and things, as is vested in the Supreme Court for the trial of civil actions, and the failure or refusal of a person to attend, to answer questions or to produce such documents, records and things as are in his custody or possession makes the person liable to be committed for contempt by a judge of the Supreme Court as if in breach of an order or judgment of the Supreme Court, provided that no provision of *The Evidence Act* exempts any bank or any officer or employee thereof from the operation of this section. R.S.O. 1960, c. 363, s. 21 (3); 1962-63, c. 131, s. 11 (3, 4), *amended*.

R.S.O. 1960,  
c. 125

Counsel

- (5) A person giving evidence at an investigation under this section may be represented by counsel. *New*.

Seizure of  
property

- (6) Where an investigation is ordered under this section, the person appointed to make the investigation may seize and take possession of any documents, records, securities or other property of the person or company whose affairs are being investigated. R.S.O. 1960, c. 363, s. 21 (4), *amended*.

Inspection  
of property

- (7) Where any documents, records, securities or other property are seized under subsection 6, such documents, records, securities or other property will be made available for

inspection

inspection and copying by the person or company from whom seized at a mutually convenient time and place. *New.*

(8) Where an investigation is ordered under this section, the Commission may appoint an accountant or other expert to examine documents, records, properties and matters of the person or company whose affairs are being investigated. Accountants, other experts

(9) Every person appointed under subsection 1, 2 or 8 shall report the result of his investigation or examination to the Commission. R.S.O. 1960, c. 363, s. 21 (5, 6), *amended*. Report of investigation

**22.** Where upon the report of an investigation made under section 21 it appears to the Commission that any person or company may have, Report to Minister

(a) contravened any of the provisions of this Act or the regulations; or

(b) committed an offence under the *Criminal Code* (Canada) in connection with a transaction relating to securities, 1953-54, c. 51 (Can.)

the Commission shall send a full and complete report of the investigation, including the report made to it, any transcript of evidence and any material in the possession of the Commission relating thereto, to the Minister. R.S.O. 1960, c. 363, s. 22, *amended*.

**23.** Notwithstanding section 21, the Minister may by order appoint any person to make such investigation as he deems expedient for the due administration of this Act or into any matter relating to a trade in securities, in which case the person so appointed, for the purposes of the investigation, has the same authority, powers, rights and privileges as a person appointed under section 21. R.S.O. 1960, c. 363, s. 23; 1962-63, c. 131, s. 12, *amended*. Investigation under order of Minister

**24.** No person, without the consent of the Commission, shall disclose, except to his counsel, any information or evidence obtained or the name of any witness examined or sought to be examined under section 21 or 23. R.S.O. 1960, c. 363, s. 24, *amended*. Evidence not to be disclosed

**25.** Where an investigation has been made under section 21, the Commission may, and, where an investigation has been made under section 23, the person making the investigation shall, report the result thereof, including the evidence, findings, comments and recommendations, to the Minister, and the Minister may cause the report to be published in whole or in part in such manner as he deems proper. R.S.O. 1960, c. 363, s. 25, *amended*. Reporting to Minister, publication of report

Order to  
hold or  
refrain  
from dealing  
with funds

**26.—(1)** The Commission may,

- (a) where it is about to order an investigation under section 21 or during or after an investigation under section 21 or 23;
- (b) where it is about to make or has made a direction, decision, order or ruling suspending or cancelling the registration of any person or company or affecting the right of any person or company to trade in securities; or
- (c) where criminal proceedings or proceedings in respect of a contravention of this Act or the regulations are about to be or have been instituted against any person or company, that in the opinion of the Commission are connected with or arise out of any security or any trade therein or out of any business conducted by such person or company,

in writing or by telegram direct any person or company having on deposit or under control or for safekeeping any funds or securities of the person or company referred to in clause *a*, *b* or *c* to hold such funds or securities or direct the person or company referred to in clause *a*, *b* or *c* to refrain from withdrawing any such funds or securities from any other person or company having any of them on deposit, under control or for safekeeping or to hold all funds or securities of clients or others in his possession or control in trust for any interim receiver, custodian, trustee, receiver or liquidator appointed under the *Bankruptcy Act* (Canada), *The Judicature Act*, *The Corporations Act* or the *Winding-up Act* (Canada), or until the Commission in writing revokes the direction or consents to release any particular fund or security from the direction, provided that no such direction applies to funds or securities in a stock exchange clearing house or to securities in process of transfer by a transfer agent unless the direction expressly so states, and in the case of a bank, loan or trust company the direction applies only to the offices, branches or agencies thereof named in the direction.

R.S.C. 1952,  
co. 14, 296;  
R.S.O. 1960,  
co. 197, 71

Application  
for direction

(2) Any person or company in receipt of a direction given under subsection 1, if in doubt as to the application of the direction to any funds or security or in the case of a claim being made thereto by any person or company not named in the direction, may apply to a judge of the Supreme Court who may direct the disposition of such funds or security and may make such order as to costs as seems just.

Notice to  
registrars  
of deeds,  
etc.

(3) In any of the circumstances mentioned in clause *a*, *b* or *c* of subsection 1, the Commission may in writing or by

telegram



telegram notify any registrar of deeds, master of titles or mining recorder that proceedings are being or are about to be taken that may affect land or mining claims belonging to the person or company referred to in the notice, which notice shall be registered or recorded against the lands or claims mentioned therein and has the same effect as the registration or recording of a certificate of *lis pendens* or a caution, provided that the Commission may in writing revoke or modify the notice. R.S.O. 1960, c. 363, s. 26, *amended*.

**27.—(1)** The Commission may,

Application  
for appoint-  
ment of  
receiver,  
receiver and  
manager or  
trustee

(a) where it is about to order an investigation under section 21 or during or after an investigation under section 21 or 23;

(b) where it is about to make or has made a direction, decision, order or ruling suspending or cancelling the registration of any person or company or affecting the right of any person or company to trade in securities; or

(c) where criminal proceedings or proceedings in respect of a contravention of this Act or the regulations are about to be or have been instituted against any person or company that in the opinion of the Commission are connected with or arise out of any security or any trade therein, or out of any business conducted by such person or company,

apply to a judge of the Supreme Court for the appointment of a receiver or a receiver and manager or a trustee of the property of such person or company.

(2) Upon an application made under subsection 1, the judge may, where he is satisfied that the appointment of a receiver or a receiver and manager or a trustee of the property of any person or company is in the best interests of the creditors of such person or company or of persons or companies any of whose property is in the possession or under the control of such person or company, appoint a receiver or a receiver and manager or a trustee of the property of such person or company.

Appoint-  
ment

(3) Upon an *ex parte* application made by the Commission under this section, the judge may make an order under subsection 2 appointing a receiver or a receiver and manager or a trustee for a period not exceeding eight days.

*Ex parte*  
application

Powers of receiver, receiver and manager or trustee

(4) A receiver or a receiver and manager or a trustee of the property of any person or company appointed under this section shall be the receiver or the receiver and manager or the trustee of all the property belonging to the person or company or held by the person or company on behalf of or in trust for any other person or company, and the receiver or the receiver and manager or the trustee shall have authority, if so directed by the judge, to wind-up or manage the business and affairs of the person or company and all powers necessary or incidental thereto.

Enforcement of order

(5) An order made under this section may be enforced in the same manner as any order or judgment of the Supreme Court and may be varied or discharged upon an application made by notice.

Rules of practice to apply

(6) Upon an application made under this section, the rules of practice of the Supreme Court apply. R.S.O. 1960, c. 363, s. 27.

## PART IV

### APPEALS

Review by Commission

**28.**—(1) Any person or company primarily affected by a direction, decision, order or ruling of the Director may, by notice in writing sent by registered mail to the Registrar within thirty days after the mailing of the notice of the direction, decision, order or ruling, request and be entitled to a hearing and review thereof by the Commission.

Power on review

(2) Upon a hearing and review, the Commission may by order confirm the direction, decision, order or ruling under review or make such other direction, decision, order or ruling as the Commission deems proper. R.S.O. 1960, c. 363, s. 29 (1, 4), *amended*.

Appeal to Court of Appeal

**29.**—(1) Any person or company primarily affected by a direction, decision, order or ruling of the Commission, other than a ruling under section 59, may appeal to the Court of Appeal.

Form of appeal

(2) Every appeal shall be by notice of motion sent by registered mail to the Registrar within thirty days after the mailing of the notice of the order, and the practice and procedure upon and in relation to the appeal shall be the same as upon an appeal from a judgment of a judge of the Supreme Court in an action, provided that the Rules Committee may vary or amend such practice and procedure or may prescribe the practice and procedure that shall be applicable to appeals taken under this Act.



(3) The Registrar shall certify to the Registrar of the <sup>Certificate</sup> Supreme Court, <sup>of Registrar</sup>

- (a) the direction, decision, order or ruling that has been reviewed by the Commission;
- (b) the order of the Commission, together with any statement of reasons therefor;
- (c) the record of the review; and
- (d) all written submissions to the Commission or other material that are relevant to the appeal.

(4) The Minister may appoint counsel to assist the Court <sup>Counsel</sup> of Appeal upon the hearing of any appeal under this section. R.S.O. 1960, c. 363, s. 30, *amended*.

(5) Where an appeal is taken under this section, the Court <sup>Order</sup> of Appeal may by its order direct the Commission to make <sup>of Court</sup> such direction, decision, order or ruling or to do such other <sup>of Appeal</sup> act as the Commission is authorized and empowered to do under this Act or the regulations and as the Court deems proper, having regard to the material and submissions before it and to this Act and the regulations, and the Commission shall make such direction, decision, order or ruling or do such act accordingly. R.S.O. 1960, c. 363, s. 31, *amended*.

(6) Notwithstanding an order of the Court of Appeal, the Commission has power to make any further direction, decision, <sup>Commission</sup> order or ruling upon new material or where there is a material <sup>may make</sup> change in the circumstances, and every such direction, decision, <sup>further</sup> order or ruling is subject to this section. R.S.O. 1960, c. 363, s. 32, *amended*. <sup>direction,</sup> <sup>etc.</sup>

## PART V

### AUDITS

**30.** Every stock exchange in Ontario recognized by the <sup>Panel of</sup> Commission, the Ontario District of the Investment Dealers' <sup>auditors</sup> Association of Canada and the Broker-Dealers' Association of Ontario shall,

- (a) select a panel of auditors each of whom shall have practised as such in Ontario for not fewer than five years and shall be known as a panel auditor or members' auditor; and

(b)

- (b) employ an exchange auditor, district association auditor or association auditor, as the case may be, whose appointment is subject to the approval of the Commission, and the appointee shall be an auditor who has practised as such in Ontario for not fewer than ten years. R.S.O. 1960, c. 363, s. 33, *amended*.

Audits by  
stock  
exchanges  
and asso-  
ciations

**31.**—(1) Every stock exchange in Ontario recognized by the Commission, the Ontario District of the Investment Dealers' Association of Canada and the Broker-Dealers' Association of Ontario shall cause each member of such class or classes of their members as the Commission may designate in writing to appoint an auditor from the panel of auditors selected under section 30, and such auditor shall make the examination of the financial affairs of such member as called for by the by-laws, rules or regulations applicable to members of such class or classes and shall report thereon to the exchange auditor, district association auditor or association auditor, as the case may be.

Auditing  
by-laws,  
etc., to be  
satisfactory  
to Com-  
mission

(2) The by-laws, rules and regulations of every stock exchange in Ontario recognized by the Commission, the rules and regulations of the Ontario District of the Investment Dealers' Association of Canada and the regulations of the Broker-Dealers' Association of Ontario in respect of the practice and procedure of the examinations under subsection 1 and the actual conduct of the examinations shall be satisfactory to the Commission. R.S.O. 1960, c. 363, s. 34, *amended*.

Annual  
financial  
statement,  
filing

**32.** Every registrant whose financial affairs are not subject to examination under section 31 shall keep such books and records as are necessary for the proper recording of his business transactions and financial affairs and shall file with the Commission annually and at such other time or times as the Commission may require a financial statement satisfactory to the Commission as to his financial position, certified by such registrant or an officer or partner of such registrant and reported upon by the auditors of such registrant, and such other information as the Commission may require in such form as it may prescribe. R.S.O. 1960, c. 363, s. 35, *amended*.

Commission  
may make  
audits

**33.**—(1) Notwithstanding anything in sections 30, 31 and 32, the Commission or any person to whom as its representative it may in writing delegate such authority may at any time make an examination of the financial affairs of a registrant or of any person or company whose securities have been the subject of a filing with the Commission, and prepare a balance

sheet as of the date of such examination and such other statements and reports as may be required by the Commission. R.S.O. 1960, c. 363, s. 36 (1), *amended*.

(2) The Commission or any person making an examination under this section is entitled to free access to all books of account, securities, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person or company whose financial affairs are being examined, and no person or company shall withhold, destroy, conceal or refuse to give any information or thing reasonably required for the purpose of the examination. <sup>Access to books, securities, etc.</sup>

(3) The Commission may charge such fees as may be prescribed by the regulations for any examination made under this section. <sup>Fees</sup> R.S.O. 1960, c. 363, s. 36 (2, 3).

## PART VI

### PROSPECTING SYNDICATES

**34.**—(1) Upon the filing of a prospecting syndicate agreement and the issuance of a receipt therefor by the Registrar, the liability of the members of the syndicate or parties to the agreement is limited to the extent provided by the terms of the agreement, <sup>Agreements</sup>

- (a) where the sole purpose of the syndicate is the financing of prospecting expeditions, preliminary mining development, or the acquisition of mining properties, or any combination thereof;
- (b) where the agreement clearly sets out,
  - (i) the purpose of the syndicate,
  - (ii) the particulars of any transaction effected or in contemplation involving the issue of units for a consideration other than cash,
  - (iii) the maximum amount, not exceeding 25 per cent of the sale price, that may be charged or taken by a person or company as commission upon the sale of units in the syndicate,
  - (iv) the maximum number of units in the syndicate, not exceeding  $33\frac{1}{3}$  per cent of the total number of units of the syndicate, that may be issued in consideration of the transfer to the syndicate of mining properties,

(v)

- (v) the location of the principal office of the syndicate and that the principal office shall at all times be maintained in Ontario and that the Registrar and the members of the syndicate shall be notified immediately of any change in the location of the principal office,
  - (vi) that a person or company holding mining properties for the syndicate shall execute a declaration of trust in favour of the syndicate with respect to such mining properties,
  - (vii) that after the sale for cash of any issued units of the syndicate no mining properties shall be acquired by the syndicate other than by staking unless such acquisition is approved by members of the syndicate holding at least two-thirds of the issued units of the syndicate that have been sold for cash,
  - (viii) that the administrative expenditures of the syndicate, including, in addition to any other items, salaries, office expenses, advertising and commissions paid by the syndicate with respect to the sale of its units, shall be limited to one-third of the total amount received by the treasury of the syndicate from the sale of its units,
  - (ix) that a statement of the receipts and disbursements of the syndicate shall be furnished to the Registrar and to each member annually,
  - (x) that 90 per cent of the vendor units of the syndicate shall be escrowed units and may be released upon the consent of the Director and that any release of such units shall not be in excess of one vendor unit for each unit of the syndicate sold for cash,
  - (xi) that no securities, other than those of the syndicate's own issue, or no mining properties owned by the syndicate or held in trust for the syndicate shall be disposed of unless such disposal is approved by members of the syndicate holding at least two-thirds of the issued units of the syndicate other than escrowed units; and
- (c) where the agreement limits the capital of the syndicate to a sum not exceeding \$50,000.



(2) The Director may in his discretion direct the Registrar to issue a receipt for any prospecting syndicate agreement filed under this section and is not required to determine whether it is in conformity with clauses *a*, *b* and *c* of subsection 1.

(3) After a receipt is issued by the Registrar for a prospecting syndicate agreement, the requirements of *The Partnerships Registration Act* as to filing do not apply to the prospecting syndicate.

(4) No person or company registered for trading in securities shall trade in a security issued by a prospecting syndicate either as agent for the prospecting syndicate or as principal.

## PART VII

### TRADING IN THE COURSE OF PRIMARY DISTRIBUTION TO THE PUBLIC

**35.**—(1) No person or company shall trade in a security either on his own account or on behalf of any other person or company where such trade would be in the course of primary distribution to the public of such security until there have been filed with the Commission both a preliminary prospectus and a prospectus in respect of the offering of such security and receipts therefor obtained from the Registrar.

(2) The Registrar shall issue a receipt for the preliminary prospectus forthwith upon the filing thereof. *New.*

**36.**—(1) In this section, “waiting period” means the interval, which shall be at least ten days, between the issuance by the Registrar of a receipt for a preliminary prospectus relating to the offering of a security and the issuance by him of a receipt for the prospectus.

(2) Notwithstanding section 35 but subject to Part VIII, it is permissible during the waiting period,

- (a) to distribute a notice, circular, advertisement or letter to or otherwise communicate with any person or company identifying the security proposed to be issued, stating the price thereof, if then determined, the name and address of a person or company from whom purchases of the security may be made and containing such further information as may be permitted or required by the regulations, if every such notice, circular, advertisement, letter or other communication states the name and address of a person or company from whom a preliminary prospectus may be obtained;

(b)



(b) to distribute a preliminary prospectus; and

(c) to solicit expressions of interest from a prospective purchaser if, prior to such solicitation or forthwith after the prospective purchaser indicates an interest in purchasing the security, a copy of the preliminary prospectus is forwarded to him. *New.*

Record of  
distribution  
of  
preliminary  
prospectus

**37.** The underwriter or other person or company distributing a security in the course of primary distribution to the public shall maintain a record available for inspection by the Commission of the names and addresses of all persons and companies to whom a preliminary prospectus has been distributed. *New.*

Form and  
content of  
preliminary  
prospectus

**38.—**(1) A preliminary prospectus shall contain the certificates required by sections 52 and 53 and shall, subject to subsection 2, comply as to form and content substantially with the requirements of this Act and the regulations respecting a prospectus, except that the report or reports of the auditor or accountant required by section 46 need not be included.

Idem

(2) A preliminary prospectus may exclude information with respect to the price to the underwriter and the offering price to the public and other matters dependent upon or relating to such prices. *New.*

Statement  
on cover

**39.** A preliminary prospectus shall have printed in red ink on the outside front cover page the following statement or such variation thereof as the Director may permit:

*This is a preliminary prospectus relating to these securities, a copy of which has been filed with the Ontario Securities Commission but which has not yet become final for the purpose of a primary distribution to the public. Information contained herein is subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time a receipt is obtained from the Ontario Securities Commission for the final prospectus.* *New.*

Defective  
preliminary  
prospectus

**40.—**(1) Where it appears to the Director that a preliminary prospectus is defective in that it does not comply substantially as to form and content with the requirements of this Act and the regulations respecting a prospectus, he may, without giving notice, order that the trading permitted by subsection 2 of section 36 in the security to which the preliminary prospectus relates shall cease until a revised preliminary prospectus satisfactory to the Director is filed with

the Commission and forwarded to each recipient of the defective preliminary prospectus according to the record maintained under section 37.

(2) Where a material adverse change occurs after the date of the preliminary prospectus and before the issuance of a receipt for a prospectus that makes untrue or misleading any statement of a material fact contained in the preliminary prospectus, an amendment to the preliminary prospectus shall be filed with the Commission as soon as practicable, and in any event within ten days from the date the change occurs. Amendment to preliminary prospectus where material adverse change occurs

(3) An amendment to a preliminary prospectus referred to in subsection 2 shall forthwith, after it has been filed with the Commission, be forwarded to each recipient of the preliminary prospectus according to the record maintained under section 37. *New.* Amendment to be forwarded to each recipient of preliminary prospectus

**41.**—(1) A prospectus shall provide full, true and plain disclosure of all material facts relating to the security proposed to be issued. Prospectus

(2) A prospectus shall comply as to form and content with the requirements of this Act and the regulations. Form and content

(3) There shall be filed with a prospectus such documents, reports and other material as are required by the regulations. *New.* Supplemental material

**42.** If a statement required to be contained in a prospectus would otherwise be misleading, the prospectus shall contain such additional information, whether or not expressly required to be contained in the prospectus, as may be necessary to make the required statement not misleading in the light of the circumstances in which it is made. *New.* Additional information

**43.**—(1) A prospectus shall contain the following financial statements: Financial statements

1. A statement of profit and loss of the company and, unless the Director otherwise permits, of all its subsidiaries, year by year for,
  - (a) the last five completed financial years or such shorter period as the Director permits or requires; and
  - (b) any part of a subsequent financial year to the date at which the balance sheet required by item 4 is made up.

2. A statement of surplus year by year of the company and, unless the Director otherwise permits, of all its subsidiaries for the financial years and period covered by the statement of profit and loss referred to in item 1.
3. In the case of a mining or industrial company that is in the promotional, exploratory or developmental stage, a statement of source and application of funds or a statement of cash receipts and disbursements of the company and, unless the Director otherwise permits, of all its subsidiaries for the financial years and period referred to in item 1.
4. A balance sheet of the company and, unless the Director otherwise permits, of all its subsidiaries as at a date not more than 120 days prior to the date of the issuance of a receipt for the preliminary prospectus or the date of a new prospectus referred to in section 56, as the case may be, or as at such other date as the Director may permit or require.

Idem

(2) Where the financial statements required by subsection 1 relate to part of a financial year, the prospectus shall also contain a statement of profit and loss, a statement of surplus or, where item 3 of subsection 1 is applicable, a statement of source and application of funds or a statement of cash receipts and disbursements, which need not be reported on by the auditor or accountant, for the comparable period in the preceding financial year.

Idem

(3) Where a statement of source and application of funds or a statement of cash receipts and disbursements is included in a prospectus, the statements of profit and loss and surplus may be omitted from the prospectus unless required to be included by the Director.

Idem

(4) The statements referred to in subsection 1 shall, unless the Director otherwise permits, be prepared on a consolidated basis. *New.*

*Pro forma*  
balance  
sheet

**44.** The Director may permit or require a prospectus to contain as part of the financial statements a *pro forma* balance sheet of the company and, unless the Director otherwise permits, of all its subsidiaries as at the date at which the balance sheet required by item 4 of subsection 1 of section 43 is made up, giving effect to the issue and sale or redemption or other retirement of securities issued or to be issued by the company and to such other transactions as the Director may permit or require. *New.*

**45.**—(1) Where the proceeds of the securities offered by a prospectus are to be applied in whole or in part directly or indirectly, either by purchase of assets or shares, to finance the acquisition of a business, the Director may permit or require the prospectus to contain as part of the financial statements one or more of the following:

1. A *pro forma* statement combining the profits or losses year by year of the business covered by the statements referred to in item 2 and subsection 4 with those of the company or companies covered by the statements of profit and loss required by item 1 of subsection 1 and subsection 2 of section 43.
2. A statement of profit and loss year by year of the business.
3. A *pro forma* balance sheet combining the assets and liabilities of the business referred to in item 4 and the assets and liabilities shown in the balance sheet of the company or companies referred to in item 4 of subsection 1 of section 43 as at the date at which the last-mentioned balance sheet is made up.
4. A statement showing the assets and liabilities of the business as at a date not more than 120 days prior to the date of the issuance of a receipt for the preliminary prospectus or the date of a new prospectus referred to in section 56, as the case may be, or as at such other date as the Director may permit or require.
5. A statement of surplus year by year of the business.
6. Where the business is of a mining or an industrial nature and is in the promotional, exploratory or developmental stage, a statement of source and application of funds or a statement of cash receipts and disbursements.

(2) The statements referred to in items 2, 5 and 6 of subsection 1 shall cover the following: Periods to be covered

1. The last five completed financial years of the business or such shorter period as the Director permits or requires.
2. Any part of a subsequent financial year to the date at which the balance sheet required by item 4 of subsection 1 is made up.



Where  
certain  
statements  
may be  
omitted

(3) Where a statement of source and application of funds or a statement of cash receipts and disbursements of the business is included in a prospectus, the statements of profit and loss and surplus of the business may be omitted from the prospectus unless required to be included by the Director.

Where  
additional  
statements  
required

(4) Where the statement referred to in item 2 of subsection 1 relates to part of a financial year, the prospectus shall also contain a statement of profit and loss, a statement of surplus or, where item 6 of subsection 1 is applicable, a statement of source and application of funds or a statement of cash receipts and disbursements, which need not be reported on by the auditor or accountant, for the comparable period in the preceding financial year.

Certain  
statements  
to be on  
consolidated  
basis

(5) The statements referred to in items 2, 4, 5 and 6 of subsection 1 and in subsection 4 shall, unless the Director otherwise permits, be prepared on a consolidated basis. *New.*

Prospectus  
to contain  
report on  
financial  
statements

**46.**—(1) A prospectus shall, except as otherwise provided in this Act, contain a report on the financial statements contained therein of a person acceptable to the Director who is the auditor of the company or of a subsidiary or is an accountant eligible for appointment as auditor of the company or of a subsidiary and, where financial statements of a business acquired or to be acquired are required or permitted, a report of a person acceptable to the Director who is the auditor of such business or is an accountant eligible for appointment as such auditor, which report shall be signed by the appropriate auditor or accountant and shall state whether in the opinion of such auditor or accountant the financial statements referred to therein present fairly the financial position of the company, the subsidiary or the business acquired or to be acquired, as the case may be, and the results of their respective operations for the years and periods under review in accordance with generally accepted accounting principles applied on a consistent basis.

Idem

(2) If the prospectus contains a statement of source and application of funds or a statement of cash receipts and disbursements, the appropriate auditor or accountant shall include in his report a statement whether in his opinion, in effect, the statement of source and application of funds or the statement of cash receipts and disbursements, as the case may be, presents fairly the information shown therein.

Contents  
of report

(3) The auditor or accountant shall make such examinations as will enable him to make the report required by subsections 1 and 2, and the report shall contain such comments or qualifications as he considers necessary,

(a)



- (a) if the financial statements required by section 43 and items 2, 4, 5 and 6 of subsection 1 of section 45 are not in agreement with the accounting records of the company or business;
- (b) if he has not received all the information and explanations that he has required;
- (c) if proper accounting records have not been kept, so far as appears from his examination; or
- (d) if the financial statements required by sections 43, 44 and 45 are not prepared in accordance with the requirements of this Act and the regulations.

(4) The report required by subsection 1 shall not contain any qualification where it is reasonably practicable for the company, subsidiary or acquired business, as the case may be, to revise its presentation with respect to the matter that would otherwise be the subject of a qualification. Where no qualification allowed

(5) The report required by subsection 1 need not relate to any date or period subsequent to the last completed financial year of the company or of a subsidiary and, where section 45 is applicable, to any date or period subsequent to the last completed financial year of the business acquired or to be acquired where such date is or such period ended, as the case may be, not more than ninety days before the date of the issuance of a receipt for the preliminary prospectus or such longer time as the Director may permit and not more than one year after the last completed financial year or such longer time as the Director may permit, provided that the prospectus contains a balance sheet of the company and, unless the Director otherwise permits, of all its subsidiaries as at the end of the last financial year completed before the issuance of such receipt or as at the end of such other completed financial year as the Director may permit and, where section 45 is applicable, a balance sheet of the business acquired or to be acquired as at the end of its last financial year then completed or as at the end of such other completed financial year as the Director may permit. Unaudited financial statements

(6) If, pursuant to subsection 5, a financial statement contained in a prospectus is not reported on by an auditor or accountant, there shall be filed with the Commission such advice from the auditor or accountant relating to such financial statement as may be required by the Commission. *New.* Advice of auditor, etc.

**47.** Every statement of profit and loss, statement of surplus, balance sheet, statement of source and application of funds, statement of cash receipts and disbursements, *pro forma* Statements in prospectus to be approved by board of directors

statement of profit and loss and *pro forma* balance sheet contained in a prospectus shall be approved by the appropriate board of directors, which approval shall be evidenced by the signatures at the foot of every balance sheet and *pro forma* balance sheet of two directors duly authorized to signify each such approval. *New.*

Designation  
of state-  
ments, etc.

**48.** It is not necessary to designate the statements referred to in this Part as the statement of profit and loss, statement of surplus, statement of source and application of funds, statement of cash receipts and disbursements and balance sheet. *New.*

Separate  
financial  
statements  
of sub-  
sidiaries

**49.** The Director may direct that separate financial statements or certain of them with respect to a subsidiary of a company be included in a prospectus, whether or not the financial statements of such subsidiary are consolidated with the financial statements contained in the prospectus, and, in such event, this Part applies *mutatis mutandis* to such separate financial statements. *New.*

Consents of  
experts  
to be filed

**50.—(1)** If any solicitor, auditor, accountant, engineer, appraiser or any other person or company whose profession gives authority to a statement made by him is named as having prepared or certified any part of a prospectus or is named as having prepared or certified a report or valuation used in or in connection with a prospectus, the written consent of such person or company to the inclusion of such report or valuation shall be filed with the Commission not later than the time the prospectus is filed.

Consents  
may be  
dispensed  
with

(2) The Director may dispense with the filing of a consent required by subsection 1 if, in his opinion, such filing is impracticable or involves undue hardship.

Contents  
of consents

(3) The consent of the auditor or accountant referred to in subsection 1 shall refer to his report required by section 46, stating the date thereof and the dates of the financial statements on which the reports are made, and shall contain a statement that he has read the prospectus and that the information contained therein, which is derived from the financial statements contained in the prospectus or which is within his knowledge, is, in his opinion, presented fairly and is not misleading.

Disclosure  
of interest

(4) If a solicitor, auditor, accountant, engineer, appraiser or other person or company referred to in subsection 1 has directly or indirectly received or expects to receive any interest, direct or indirect, in the property of the company or any affiliate, or beneficially owns, directly or indirectly, any securities of the company or any affiliate, such interest or ownership shall be disclosed in the prospectus.

(5) If a person or company referred to in subsection 1 is <sup>Idem</sup> or is expected to be elected, appointed or employed as a director, officer or employee of the company or any affiliate, such fact shall be disclosed in the prospectus.

(6) Notwithstanding subsections 4 and 5, the Director may <sup>Exception</sup> direct the Registrar not to issue a receipt for a prospectus if a person or company referred to in subsection 1 is not acceptable to him. *New.*

**51.** Where any change is proposed to be made in a preliminary prospectus or prospectus that in the opinion of the Director materially affects any consent required by section 50, the Director may require that a further consent be filed with the Commission before a receipt for the amended prospectus is issued. *New.* <sup>Further consents</sup>

**52.**—(1) A prospectus shall contain a certificate in the following form, signed by the chief executive officer, the chief financial officer and, on behalf of the board of directors, by any two directors of the company, other than the foregoing, duly authorized to sign and by any person or company who is a promoter of the company: <sup>Certificate in prospectus by promoter, etc.</sup>

*The foregoing constitutes full, true and plain disclosure of all material facts relating to the securities offered by this prospectus as required by Part VII of The Securities Act, 1966 and the regulations thereunder.*

(2) Where the Director is satisfied upon evidence or sub-<sup>Idem</sup>missions made to him that either or both of the chief executive officer or chief financial officer of the company is for adequate cause not available to sign a certificate in a prospectus, the Director may permit the certificate to be signed by any other responsible officer or officers of the company in lieu of either or both of the chief executive officer or chief financial officer.

(3) With the consent of the Director, a promoter need not <sup>Idem</sup> sign a certificate in a prospectus.

(4) The Director may, in his discretion, require any person <sup>Director's discretion</sup> or company who was a promoter of the company within the two preceding years to sign the certificate required by subsection 1, subject to such conditions as the Director may deem proper.

(5) With the consent of the Director, a promoter may sign <sup>Idem</sup> a certificate in a prospectus by his agent duly authorized in writing. *New.*



Certificate  
in prospectus  
by under-  
writer

**53.**—(1) A prospectus shall contain a certificate in the following form, signed by the underwriter or underwriters who, with respect to the securities offered by the prospectus, are in a contractual relationship with the person or company whose securities are being offered by the prospectus:

*To the best of our knowledge, information and belief, the foregoing constitutes full, true and plain disclosure of all material facts relating to the securities offered by this prospectus as required by Part VII of The Securities Act, 1966 and the regulations thereunder.*

Idem

(2) With the consent of the Director, an underwriter may sign a certification in a prospectus by his agent duly authorized in writing. *New.*

Notice to  
Commission  
of primary  
distribution

**54.**—(1) No person or company shall engage in the primary distribution to the public of a security to which section 35 or 56 is applicable until such person or company has notified the Commission in writing of his intention to engage in such primary distribution. R.S.O. 1960, c. 363, ss. 39 (2), 40 (2), *amended.*

Notice to  
Commission  
of cessation  
of primary  
distribution

(2) A person or company shall notify the Commission in writing when, in his opinion, he has ceased to engage in the primary distribution to the public of a security to which section 35 or 56 is applicable.

Material  
change  
during  
primary  
distribution

**55.** Where a material change occurs during the period of primary distribution to the public of a security that makes untrue or misleading any statement of a material fact contained in a prospectus filed under this Part in respect of which a receipt has been issued by the Registrar, an amendment to the prospectus shall be filed with the Commission as soon as practicable, and in any event within ten days from the date the change occurs. R.S.O. 1960, c. 363, ss. 39 (17), 40 (18), *amended.*

New  
prospectus  
to be filed  
after  
one year  
of primary  
distribution

**56.** Where primary distribution to the public of the security is in progress twelve months from,

(a) the date of the issuance of the receipt for the preliminary prospectus relating to such security; or

(b) the date of the last prospectus relating to such security filed under this section,

as the case may be, a new prospectus that complies with this Part shall be filed with the Commission and a receipt therefor obtained from the Registrar within twenty days from the

expiration

expiration of the applicable twelve-month period or, subject to such terms and conditions as the Commission may require, within such greater number of days as it may permit. R.S.O. 1960, c. 363, ss. 39 (18), 40 (19), *amended*.

**57.** From the date of the issuance by the Registrar of a receipt for a prospectus relating to a security, a person or company trading in the security in the course of primary distribution to the public, either on his own account or on behalf of any other person or company, may distribute the prospectus, any document filed with or referred to in the prospectus and any notice, circular, advertisement or letter of the nature described in clause *a* of subsection 2 of section 36, but shall not distribute any other printed or written material respecting the security that may be prohibited by the regulations.

Limitation  
on materials  
that may be  
distributed  
during  
primary  
distribution

**58.—**(1) Section 35 does not apply to a trade where the purchaser or proposed purchaser is a person or company referred to in item 3 of subsection 1 of section 19 or in subsection 3 of section 19 or to a trade referred to in items 6, 8, 9 and 10 of subsection 1 of section 19 or to trades from one person or company registered for trading in securities to another person or company registered for trading in securities where the purchasing person or company is acting as principal.

Where  
s. 35 does  
not apply

(2) Section 35 does not apply to securities,

*Idem*

- (a) that are referred to in subsection 2 of section 19;
- (b) that are listed and posted for trading on any stock exchange recognized by the Commission where such securities are distributed to the public through the facilities of such stock exchange pursuant to the rules of such stock exchange and the requirements of the Commission, provided that a statement of material facts, which shall comply as to form and content with the regulations, is filed with and is acceptable to such stock exchange and the Commission;
- (c) that are listed and posted for trading on any stock exchange recognized by the Commission where such securities are distributed to the public within the meaning of subparagraph ii of paragraph 16 of subsection 1 of section 1 through the facilities of such stock exchange by way of isolated trades not made in the course of continued and successive transactions of a like nature;
- (d) that are exempted by the regulations. R.S.O. 1960, c. 363, s. 41, *amended*.



Idem

(3) Sections 63 and 64 apply *mutatis mutandis* to a distribution under clause *b* of subsection 2 as if section 35 or 56 was applicable thereto, and the statement of material facts referred to in clause *b* of subsection 2 shall be conclusively deemed to be a prospectus for the purposes of sections 63 and 64. *New.*

Determina-  
tion of  
what con-  
stitutes  
primary  
distribution

**59.**—(1) Where doubt exists whether a trade proposed or intended to be made in a security would be in the course of primary distribution to the public of the security, the Commission may, upon the application of an interested party, determine whether the proposed or intended trade would be in the course of primary distribution to the public of the security and rule accordingly, and such ruling is final and there is no appeal therefrom.

Idem

(2) Where the Commission determines under subsection 1 that a proposed or intended trade would not be in the course of primary distribution to the public of the security, the Commission may rule that registration is not required in respect of such trade.

Determina-  
tion of  
whether a  
primary  
distribution  
has  
concluded

(3) Where doubt exists whether a primary distribution to the public of any security has been concluded or is currently in progress, the Commission may determine the question and rule accordingly, and such ruling is final and there is no appeal therefrom. R.S.O. 1960, c. 363, s. 42, *amended.*

Orders  
to furnish  
information  
necessary for  
primary  
distribution

**60.**—(1) Where a person or company proposing to make a primary distribution to the public of previously distributed securities of a company is unable to obtain from the company that is the issuer of such securities information or material that is necessary for the purpose of complying with this Part, the Director may order the company that is the issuer of such securities to furnish to the person or company that proposes to make the distribution such information and material as the Director deems necessary for the purposes of the distribution, upon such terms and subject to such conditions as he deems proper, and all such information and material may be used by the person or company to whom it is furnished for the purpose of complying with this Act.

Orders  
waiving  
statutory  
requirements

(2) Where a person or company proposing to make a primary distribution to the public of previously distributed securities of a company is unable to obtain any or all of the signatures to the certificates required by subsection 1 of section 52 or subsection 1 of section 53, as the case may be, or otherwise to comply with this Part, the Director may, upon being satisfied that all reasonable efforts have been made to comply with this Part and that no person is likely to be pre-

judicially affected by such failure to comply, make such order waiving any of the provisions of this Part as he deems advisable, upon such terms and subject to such conditions as he deems proper. R.S.O. 1960, c. 363, s. 43, *amended*

**61.**—(1) The Director may in his discretion direct the Registrar to issue a receipt for any prospectus filed under this Part, unless it appears to the Director that, <sup>Issue of receipts</sup>

- (a) the prospectus or any document required to be filed therewith,
  - (i) fails to comply in any substantial respect with any of the requirements of this Part or the regulations,
  - (ii) contains any statement, promise, estimate or forecast that is misleading, false or deceptive, or
  - (iii) conceals or omits to state any material facts necessary in order to make any statement contained therein not misleading in the light of the circumstances in which it was made;
- (b) an unconscionable consideration has been paid or given or is intended to be paid or given for promotional purposes or for the acquisition of property;
- (c) the proceeds from the sale of the securities to which the prospectus relates that are to be paid into the treasury of the company, together with other resources of the company, are insufficient to accomplish the purpose of the issue stated in the prospectus;
- (d) such escrow or pooling agreement as the Director deems necessary or advisable with respect to securities issued for a consideration other than cash has not been entered into; or
- (e) that such agreement as the Director deems necessary or advisable to accomplish the objects indicated in the prospectus for the holding in trust of the proceeds payable to the company from the sale of the securities pending the distribution of such securities has not been entered into.

(2) The Director shall not make any determination under <sup>Idem</sup> subsection 1 without making an order or ruling in writing and without giving the person or company who filed the prospectus a prior opportunity to be heard. *New.*

Orders  
to cease  
trading

**62.**—(1) Where it appears to the Commission, after the filing of a prospectus under this Part and the issuance of a receipt therefor, that any of the circumstances set out in section 61 exist, the Commission may order that all trading in the primary distribution to the public of the securities to which the prospectus relates shall cease.

Idem

(2) No order shall be made under subsection 1 without a hearing unless in the opinion of the Commission the length of time required for a hearing could be prejudicial to the public interest, in which event a temporary order may be made which shall expire fifteen days from the date of the making thereof.

Notice

(3) A notice of every order made under this section shall be served upon the company to whose securities the prospectus relates and upon every registrant who has notified the Commission of his intention to engage in the primary distribution to the public of the securities, and forthwith upon the receipt of the notice,

(a) no further trades shall be made in the course of primary distribution to the public of the securities named in the order by any person or company; and

(b) any receipt issued by the Registrar for the prospectus is *ipso facto* revoked. R.S.O. 1960, c. 363, s. 46, amended.

Obligation  
to deliver  
prospectus

**63.**—(1) A person or company not acting as agent of the purchaser who receives an order or subscription for a security offered in the course of primary distribution to the public to which section 35 or 56 is applicable shall, unless he has previously done so, send by prepaid mail or deliver to the purchaser the prospectus or amended prospectus, whichever is the last required to be filed with the Commission, either before entering into an agreement of purchase and sale resulting from the order or subscription or not later than midnight on the second day, exclusive of Saturdays, Sundays and holidays, after entering into such agreement.

Withdrawal  
from  
purchase

(2) An agreement of purchase and sale referred to in subsection 1 is not binding upon the purchaser if the person or company from whom the purchaser purchased the security receives written or telegraphic notice evidencing the intention of the purchaser not to be bound by the agreement of purchase and sale not later than midnight on the second day, exclusive of Saturdays, Sundays and holidays, after receipt by the purchaser of the prospectus or amended prospectus, whichever is the last required to be filed with the Commission.



(3) Subsection 2 does not apply if the purchaser is a registrant or if the purchaser sells or otherwise transfers beneficial ownership of the security referred to in subsection 2, otherwise than to secure indebtedness, before the expiration of the time referred to in subsection 2. Where subs. 2 does not apply

(4) For the purpose of this section, where a prospectus or amended prospectus is sent by prepaid mail, the prospectus or amended prospectus shall be deemed conclusively to be received in the ordinary course of mail by the person or company to whom it was addressed. Time of receipt

(5) The receipt of a prospectus or amended prospectus by a person or company who is acting as agent of or who thereafter commences to act as agent of the purchaser with respect to the purchase of a security referred to in subsection 1 shall, for the purpose of this section, be receipt by the purchaser as of the date on which the agent received such prospectus or amended prospectus. Receipt of prospectus by agent

(6) The receipt of the notice referred to in subsection 2 by a person or company who acted as agent of the vendor with respect to the sale of a security referred to in subsection 1 shall, for the purpose of this section, be receipt by the vendor as of the date on which the agent received such notice. Receipt of notice by agent

(7) For the purpose of this section, a person or company shall not be considered to be acting as agent of the purchaser unless the person or company is acting solely as the agent of the purchaser with respect to the purchase and sale in question and has not received and has no agreement to receive compensation from or on behalf of the vendor with respect to the purchase and sale. Where person or company acting as agent

(8) The onus of proving that the time for giving notice under subsection 2 has expired is upon the person or company from whom the purchaser agreed to purchase the security. Onus of proof

(9) Every prospectus shall contain a statement of the rights given to a purchaser by this section. *New.* Prospectus to contain statement of rights

**64.**—(1) A person or company that is a party to a contract as purchaser resulting from the offer of a security in the course of primary distribution to the public to which section 35 or 56 is applicable has a right to rescind the contract while still the owner of the security if the prospectus and any amended prospectus then filed with the Commission in compliance with section 55 received by the purchaser, as of the date of receipt, contains an untrue statement of a material fact or omits to state a material fact necessary in order to make any statement contained therein not misleading in the light of the circumstances in which it was made. Right to rescind

Period of  
limitation

(2) No action shall be commenced under this section after the expiration of ninety days from the last to occur of the receipt of the prospectus or amended prospectus by the purchaser or the date of the contract referred to in subsection 1.

Where  
subs. 1 does  
not apply

(3) Subsection 1 does not apply to an untrue statement of a material fact or an omission to state a material fact,

(a) if the untruth of such statement or the fact of such omission was unknown both to the person or company whose securities are being offered by the prospectus and to the underwriter referred to in subsection 1 of section 53 and, in the exercise of reasonable diligence, could not have been known to such person or company or to such underwriter;

(b) if such statement or omission is disclosed in an amended prospectus filed in compliance with section 55 and such amended prospectus was received by the purchaser; or

(c) if the purchaser knew of the untruth of the statement or knew of the omission at the time he purchased the security.

Time of  
receipt

(4) For the purpose of this section, where a prospectus or amended prospectus is sent by prepaid mail, it shall be deemed to be received in the ordinary course of mail by the person or company to whom it was addressed.

Receipt of  
prospectus  
by agent  
to be  
receipt by  
purchaser

(5) The receipt of a prospectus or amended prospectus by a person or company who is acting as agent of or who thereafter commences to act as agent of the purchaser with respect to the purchase of a security referred to in subsection 1 shall, for the purpose of this section, be receipt by the purchaser as of the date on which the agent received such prospectus or amended prospectus.

Where  
person or  
company  
acting as  
agent

(6) For the purpose of this section, a person or company shall not be considered to be acting as agent of the purchaser unless the person or company is acting solely as the agent of the purchaser with respect to the purchase and sale in question and has not received and has no agreement to receive compensation from or on behalf of the vendor with respect to the purchase and sale.



(7) The cause of action conferred by this section is in addition to and without derogation from any other right the purchaser may have at law. No  
derogation  
of rights

(8) Every prospectus shall contain a statement of the right of rescission provided by this section. *New.* Prospectus  
to contain  
statement  
of right of  
rescission

**65.** If any securities proposed to be distributed would, if distributed by a company, be in the course of primary distribution to the public, this Part and the regulations apply *mutatis mutandis* to the person, trust or other entity proposing to distribute the securities. *New.* Extended  
application  
of Part

## PART VIII

### TRADING IN SECURITIES GENERALLY

**66.**—(1) Every person or company registered for trading in securities who has acted as principal or agent in connection with any trade in a security shall promptly send or deliver to the customer a written confirmation of the transaction, setting forth, Confirmation  
of  
trade

- (a) the quantity and description of the security;
  - (b) the consideration;
  - (c) whether or not the person or company registered for trading in securities is acting as principal or agent;
  - (d) if acting as agent in a trade upon a stock exchange recognized by the Commission, the name of the person or company from or to or through whom the security was bought or sold;
  - (e) the day and the name of the stock exchange, if any, upon which the transaction took place;
  - (f) the commission, if any, charged in respect of the trade; and
  - (g) the name of the salesman, if any, in the transaction.
- R.S.O. 1960, c. 363, s. 51 (1), *amended*.

(2) Clause *d* of subsection 1 need not be complied with if the written confirmation contains a statement that the name of the person or company from or to or through whom the security was bought or sold will be furnished to the customer upon request. R.S.O. 1960, c. 363, s. 51 (2). Idem

Agent to  
disclose  
name of  
principal  
upon  
request by  
Commission

(3) Every person or company registered for trading in securities who has acted as agent in connection with any trade in a security shall promptly disclose to the Commission, upon request by the Commission, the name of the person or company from or to or through whom the security was bought or sold. *New.*

Calling at  
or tele-  
phoning  
residence

**67.**—(1) No person shall,

- (a) call at any residence; or
- (b) telephone from within Ontario to any residence within or outside Ontario,

for the purpose of trading in any security with any member of the public.

Exceptions

(2) Subsection 1 does not apply,

- (a) where the person calls at or telephones to the residence,
  - (i) of a close personal friend, a business associate or a customer with whom or on whose behalf the person calling or telephoning has been in the habit of trading in securities, or
  - (ii) of a person who has requested in writing that information respecting a specific security be furnished him by the person so calling or telephoning, but in such case the person so calling or telephoning shall call or telephone only in reference to that security; or
- (b) to a trade in any security in respect of which registration is not required. R.S.O. 1960, c. 363, s. 53 (1, 2), *amended.*

Interpre-  
tation

(3) In this section, "residence" includes any building or part of a building in which the occupant resides either permanently or temporarily and any premises appurtenant thereto. R.S.O. 1960, c. 363, s. 53 (3).

Prohibition  
of repre-  
sentations

**68.**—(1) No person or company, with the intention of effecting a trade in a security other than a security that carries a right of redemption or repurchase by the person or company issuing such security, shall make any representation, written or oral, that he or any person or company,

- (a) will resell or repurchase; or

(b)

(b) will refund all or any of the purchase price of,

any such security in which he is trading.

(2) No person or company, with the intention of effecting <sup>Promises</sup> a trade in a security, shall give any undertaking, written or oral, relating to the future value or price of such security. R.S.O. 1960, c. 363, s. 54 (1, 2).

(3) No person or company, with the intention of effecting <sup>Representa-</sup> a trade in a security, shall, except with the written permission <sup>tion that</sup> of the Director, make any representation, written or oral, <sup>security will</sup> that such security will be listed on any stock exchange or that <sup>be listed</sup> application has been or will be made to list such security upon <sup>on stock</sup> any stock exchange. R.S.O. 1960, c. 363, s. 54 (3); 1962-63, <sup>exchange</sup> c. 131, s. 19.

(4) This section does not apply to any representation <sup>Where</sup> referred to in subsection 1 made to a person, other than an <sup>section</sup> individual, or to a company where the representation is con- <sup>does not</sup> tained in a written agreement signed by the person or com- <sup>apply</sup> pany intending to effect a trade in a security and the security has an aggregate acquisition cost of more than \$50,000. *New.*

**69.**—(1) Where a person or company registered for trading <sup>Notice</sup> in securities, with the intention of effecting a trade in a security <sup>where</sup> with any person or company other than a person or company <sup>acting as</sup> registered for trading in securities, issues, publishes or sends <sup>principal</sup> a circular, pamphlet, letter, telegram or advertisement, and proposes to act in such trade as a principal, such person or company shall so state in the circular, pamphlet, letter, telegram or advertisement or otherwise in writing before entering into a contract for the sale or purchase of any such security and before accepting payment or receiving any security or other consideration under or in anticipation of any such contract.

(2) Where a person or company registered for trading in <sup>Written</sup> securities, with the intention of effecting a trade in a security <sup>confirmation</sup> with any person or company other than a person or company registered for trading in securities, makes an oral offer or invitation for an offer to any person or company and effects such trade as a principal, such person or company shall state in a written confirmation of the contract that he has acted as principal.

(3) A statement made in compliance with this section that <sup>Acting as</sup> a person or company registered for trading in securities pro- <sup>agent</sup> poses to act or has acted as principal in connection with a

trade in a security does not prevent such person or company from acting as agent in connection with a trade in such security.

Where  
section not  
applicable

(4) This section does not apply to trades referred to in subsection 1 of section 19 or to securities referred to in subsection 2 of section 19. R.S.O. 1960, c. 363, s. 55, *amended*.

Rescission  
of contract

**70.**—(1) If subsection 1 of section 69 applies to a contract and such subsection is not complied with, a person or company that has entered into such contract is entitled to rescission thereof by serving written notice of rescission on the person or company registered for trading in securities within sixty days of the date of the delivery of the security to or by such person or company, as the case may be, but, in the case of a purchase by such person or company, only if he is still the owner of the security purchased.

Idem

(2) If subsection 2 of section 69 applies to a contract and such subsection is not complied with, a person or company that has entered into such contract is entitled to rescission thereof by serving written notice of rescission on the person or company registered for trading in securities within seven days of the date of the delivery of the written confirmation of the contract but, in the case of a purchase by such person or company, only if he is still the owner of the security purchased.

Onus

(3) In an action for rescission to which this section applies, the onus of proving compliance with section 69 is upon the person or company registered for trading in securities. R.S.O. 1960, c. 363, s. 56 (1-3), *amended*.

Period of  
limitation

(4) No action shall be commenced under this section after the expiration of a period of three months from the date of the service of notice under subsection 1 or 2. R.S.O. 1960, c. 363, s. 56 (4).

Disclosure  
of financial  
interest by  
investment  
counsel and  
securities  
advisers

**71.** Every registered investment counsel and securities adviser shall cause to be printed in a conspicuous position on every circular, pamphlet, advertisement, letter, telegram and other publication issued, published or sent by him, in type not less legible than that used in the body of the circular, pamphlet, advertisement, letter or other publication, a full and complete statement of any financial or other interest that he may have either directly or indirectly in any securities referred to therein or in the sale or purchase thereof, including,

- (a) any ownership, beneficial or otherwise, that he may have in such securities or in any securities issued by the same person or company;

(b)



- (b) any option that he may have in respect of such securities, and the terms thereof;
- (c) any commission or other remuneration that he has received or may expect to receive from any person or company registered for trading in securities or otherwise in connection with any trade in such securities;
- (d) any financial arrangement that he may have with any person or company registered for trading in securities relating to such securities; and
- (e) any financial arrangement that he may have with any underwriter or other person or company who has any interest in the securities. R.S.O. 1960, c. 363, s. 57, *amended*.

**72.** Every partnership or company registered for trading in securities shall publish the name of every person having an interest, either directly or indirectly, to the extent of not less than 5 per cent in the capital of the partnership or company, as the case may be, on all letterheads, circulars and other stationery or in a prospectus upon or in which the name of the partnership or company appears as underwriter and that contain any offer or solicitation respecting a trade in securities. R.S.O. 1960, c. 363, s. 58, *amended*. Publication of names

**73.** No registrant shall use the name of another registrant on letterheads, forms, advertisements or signs, as correspondent or otherwise, unless he is a partner, officer or agent of or is authorized so to do in writing by the other registrant. R.S.O. 1960, c. 363, s. 59, *amended*. Use of name of another registrant

**74.** No person or company shall hold himself out as being a registrant by having printed in a circular, pamphlet, advertisement, letter, telegram or other stationery that he is a registrant. R.S.O. 1960, c. 363, s. 60, *amended*. Registration not to be advertised

**75.** No person or company who is not a registrant shall, either directly or indirectly, hold himself out as being a registrant. R.S.O. 1960, c. 363, s. 61, *amended*. Holding out by unregistered persons

**76.** No person or company shall make any representation, written or oral, that the Commission has in any way passed upon the financial standing, fitness or conduct of any registrant or upon the merits of any security. R.S.O. 1960, c. 363, s. 62, *amended*. Advertising Commission's approval

**77.**—(1) Where a person, or a partner or employee of a partnership, or a director, officer or employee of a company, after he or the partnership or company has contracted as Margin contracts



a person or company registered for trading in securities with any customer to buy and carry upon margin any securities of any person or company either in Canada or elsewhere, and, while such contract continues, sells or causes to be sold securities of the same person or company for any account in which,

- (a) he;
- (b) his firm or a partner thereof; or
- (c) the company or a director thereof,

has a direct or indirect interest, if the effect of such sale would, otherwise than unintentionally, be to reduce the amount of such securities in the hands of the person or company registered for trading in securities or under his control in the ordinary course of business below the amount of such securities that he should be carrying for all customers, any such contract with a customer is, at the option of the customer, void, and the customer may recover from the person or company registered for trading in securities all moneys paid with interest thereon or securities deposited in respect thereof.

Exercise  
of option

(2) The customer may exercise such option by a notice to that effect sent by prepaid mail addressed to the person or company registered for trading in securities at his address for service in Ontario. R.S.O. 1960, c. 363, s. 63, *amended*.

Declaration  
as to short  
position

**78.** Any person or company who places an order for the sale of a security through an agent acting for him that is registered for trading in securities and,

- (a) at the time of placing the order, does not own the security; or
- (b) if acting as agent, knows his principal does not own the security,

shall, at the time of placing the order to sell, declare to his agent that he or his principal, as the case may be, does not own the security.

Shares in  
name of  
registrant  
not to be  
voted,  
saving

**79.**—(1) Subject to subsections 3 and 4, shares of a company that are registered in the name of a registrant or in the name of his nominee that are not beneficially owned by the registrant shall not be voted at any meeting of shareholders of the company unless the registrant forthwith after receipt of the material referred to in clause *a* sends or delivers to each person or company who is the beneficial owner of such shares, at no expense to such person or company,

(a)

- (a) a copy of the notice of the meeting, the financial statements, the information circular and any other material, other than the form of proxy, sent to shareholders by or on behalf of any person or company for use in connection with the meeting; and
- (b) a written request for voting instructions from the beneficial owner which states that, if voting instructions are not received at least twenty-four hours prior to the expiry of the time within which proxies may be deposited with the company as specified in the notice calling the meeting or otherwise or, if not so specified, twenty-four hours prior to the time fixed for holding the meeting, a proxy in respect of such shares may be given or the shares otherwise voted at the meeting at the discretion of the registrant.

(2) A registrant shall not vote or cause to be voted shares registered in his name or in the name of his nominee that he does not beneficially own if he does not know who is the beneficial owner of the shares. Where registrant not to vote shares

(3) A company shall, at the request of a registrant, forthwith furnish to the registrant at the company's expense the requisite number of copies of the material referred to in clause a of subsection 1. Copies of material to be furnished

(4) A registrant shall vote or give a proxy requiring a nominee to vote any shares referred to in subsection 1 in accordance with any written voting instructions received from the beneficial owner. Voting of shares

(5) A registrant shall, if requested by a beneficial owner, give to the beneficial owner or his nominee a proxy enabling the beneficial owner or his nominee to vote any shares referred to in subsection 1. Proxies

(6) The failure of a registrant to comply with this section does not affect the validity of any meeting of shareholders or any proceedings taken thereat. Shareholders meetings not affected

(7) Nothing in this section gives a registrant the right to vote shares that he is otherwise prohibited from voting. Voting rights not extended *New.*

## PART IX

### TAKE-OVER BIDS

**80.** In this Part,

Interpretation

- (a) "directors' circular" means the circular prescribed by Division D of this Part;

(b)

- (b) "exempt offer" means,
- (i) an offer to purchase shares by way of private agreement with individual shareholders and not made to shareholders generally,
  - (ii) an offer to purchase shares to be effected through the facilities of a stock exchange or in the over-the-counter market,
  - (iii) an offer to purchase shares in a private company or in a public company that has fewer than fifteen shareholders whose last address as shown on the books of the offeree company is in Ontario, two or more persons who are joint registered owners of one or more shares being counted as one shareholder, or
  - (iv) an offer exempted by order of a judge of the High Court designated by the Chief Justice of the High Court made pursuant to section 89;
- (c) "offeree" means a person or company to whom a take-over bid is made and whose last address as shown on the books of the offeree company is in Ontario;
- (d) "offeree company" means a company whose shares are the subject of a take-over bid;
- (e) "offeror" means a person or company, other than an agent, who makes a take-over bid, and includes two or more persons or companies,
- (i) whose take-over bids are made jointly or in concert, or
  - (ii) who intend to exercise jointly or in concert any voting rights attaching to the shares for which a take-over bid is made;
- (f) "offeror's presently-owned shares" means equity shares of an offeree company beneficially owned, directly or indirectly, on the date of a take-over bid by the offeror or an associate of the offeror;
- (g) "take-over bid" means an offer, other than an exempt offer, made to shareholders the last address of any of whom as shown on the books of the offeree company is in Ontario to purchase such number of

equity shares of a company that, together with the offeror's presently-owned shares, will in the aggregate exceed 20 per cent of the outstanding equity shares of the company;

- (h) "undisclosed principal" means any person or company on whose behalf a take-over bid is made whose identity is not disclosed in the take-over bid or in the take-over circular. *New.*

**81.** The following provisions apply to every take-over bid: Provisions applicable to take-over bids

1. The period of time within which shares may be deposited pursuant to a take-over bid shall not be less than twenty-one days from the date thereof.
2. Any shares deposited pursuant to a take-over bid shall not be taken up and paid for by the offeror until the expiration of seven days from its date.
3. Any shares deposited pursuant to a take-over bid may be withdrawn by or on behalf of an offeree at any time until the expiration of seven days from its date.
4. Where a take-over bid is made for less than all the equity shares of a class owned by offerees, shares deposited pursuant thereto shall not be taken up and paid for by an offeror until the expiration of twenty-one days from its date.
5. Where a take-over bid is made for less than all the equity shares of a class owned by offerees, the period of time within which shares may be deposited pursuant to the take-over bid, or any extension thereof, shall not exceed thirty-five days from the date of the take-over bid.
6. Where a take-over bid is made for less than all the equity shares of a class owned by offerees, shares deposited pursuant to the take-over bid shall be taken up and paid for, if all the terms and conditions thereof not waived by the offeror have been complied with, within fourteen days after the last day within which shares may be deposited pursuant thereto.
7. Where a take-over bid is made for less than all the equity shares of a class owned by offerees and where a greater number of shares is deposited pursuant

thereto



thereto than the offeror is bound or willing to take up and pay for, the shares taken up by the offeror shall be taken up as nearly as may be *pro rata*, disregarding fractions, according to the number of shares deposited by each offeree. *New.*

#### DIVISION A—GENERAL PROVISIONS

To be sent  
by mail

**82.** A take-over bid shall be sent by prepaid mail to the offerees and shall be deemed conclusively to have been dated as of the date on which it was so sent. *New.*

Where  
terms  
varied

**83.**—(1) Where the terms of a take-over bid are varied before the expiration thereof by increasing the consideration offered for the equity shares of an offeree company, the offeror shall pay such increased consideration to each offeree whose shares are taken up and paid for pursuant to the take-over bid whether or not such shares have been taken up by the offeror before the variation of the take-over bid.

Where  
take-over  
bid  
converted

(2) Where a take-over bid for all the equity shares of a class owned by offerees is converted, by amendment or otherwise, to a bid for less than all the equity shares of a class owned by offerees, the take-over bid shall be conclusively deemed to be for less than all the equity shares of a class owned by offerees. *New.*

Where  
considera-  
tion is  
cash

**84.** Where a take-over bid provides that the consideration for the shares deposited pursuant thereto is to be paid in cash or partly in cash, the offeror shall make adequate arrangements to ensure that the required funds are available to effect payment in full for all shares owned by offerees that the offeror has offered to purchase pursuant to the take-over bid. *New.*

Circular  
required

**85.**—(1) A take-over bid circular shall form part of or accompany a take-over bid.

Contents of  
circular

(2) Every take-over bid circular shall contain the information prescribed by Division B of this Part.

Where  
considera-  
tion is  
securities

(3) Where a take-over bid provides that the consideration for the shares of the offeree company is to be, in whole or in part, securities of a company, the take-over bid circular shall contain the additional information prescribed by Division C of this Part. *New.*



**86.**—(1) Where the directors of an offeree company recommend to offerees acceptance or rejection of a take-over bid made to such offerees, the directors shall send or cause to be sent to each offeree a directors' circular, which shall contain the information prescribed by Division D of this Part. Directors' circular

(2) A directors' circular shall form part of or accompany the communication of the directors and shall be sent to each offeree by prepaid mail at his last address as shown on the books of the company. *New.* To be sent by mail

**87.** No report, opinion or statement of a solicitor, auditor, accountant, engineer, appraiser or any other person or company whose profession gives authority to a statement made by him shall form part of or accompany a take-over bid or a directors' circular unless such person or company has consented in writing to the use of the report, opinion or statement. *New.* Experts' reports

**88.**—(1) Where a take-over bid is made by or on behalf of a company, the contents of the take-over bid circular shall be approved and the delivery thereof authorized by the directors of the company. Approval of circulars

(2) The contents of a directors' circular shall be approved and the delivery thereof authorized by the directors of the offeree company. *New.* Idem

**89.**—(1) Any person or company may apply to a judge of the High Court designated by the Chief Justice of the High Court for an order declaring a take-over bid to be an exempt offer, and the judge may, upon such terms and conditions as he may impose, order the proposed offer to be exempt. Application to declare bid to be an exempt offer

(2) The applicant shall give the Commission notice of any application under subsection 1, and the Commission has the right to appear and be heard thereon. Notice

(3) An appeal lies to the Court of Appeal from any order made under subsection 1. *New.* Appeal

#### DIVISION B—CONTENTS OF TAKE-OVER BID CIRCULARS

**90.** A take-over bid circular shall contain the following information: Contents of take-over bid circulars

1. The number, without duplication, and designation of any securities of the offeree company beneficially owned, directly or indirectly,

- i. by the offeror,
  - ii. by an associate of the offeror,
  - iii. by each director and each senior officer of the offeror and their associates, and
  - iv. where known to the directors or senior officers of the offeror, by a person or company who beneficially owns, directly or indirectly, equity shares of the offeror carrying more than 10 per cent of the voting rights attached to all equity shares of the offeror for the time being outstanding,
- or, if none are so owned, a statement to that effect.
2. Where known to the directors or senior officers of the offeror, the number and designation of any equity shares of the offeree company traded by the persons or companies referred to in item 1 during the six-month period preceding the date of the take-over bid, including the purchase or sale price and the date of each such transaction.
  3. Where the obligation of the offeror to take up and pay for shares under a take-over bid is conditional upon a minimum number of shares being deposited pursuant thereto, the particulars of such condition.
  4. The particulars of the method and time of payment of the cash or other consideration to be paid for the shares of the offeree company.
  5. A statement that any shares deposited pursuant to the take-over bid may be withdrawn by or on behalf of the offeree at any time until the expiration of seven days from its date.
  6. Where the shares in the offeree company sought to be acquired pursuant to the take-over bid are to be paid for in whole or in part in cash, details of the arrangements that have been made by the offeror to ensure that the required funds are available to take up and pay for the shares of the offeree company deposited pursuant to the take-over bid.
  7. Where reasonably ascertainable, a summary showing in reasonable detail the volume of trading and price range of the shares of the offeree company sought to be acquired pursuant to the take-over bid in the six-month period preceding the date of the take-over bid.

8. The particulars of any arrangement or agreement made or proposed to be made between the offeror and any of the directors or senior officers of the offeree company, including particulars of any payment or other benefit proposed to be made or given by way of compensation for loss of office or as to their remaining in or retiring from office, if the take-over bid is successful.
9. The particulars of any information known to the offeror that indicates any material change in the financial position or prospects of the offeree company since the date of the last published interim or annual financial statement of the offeree company. *New.*

**91.** Where a take-over bid is made by or on behalf of an undisclosed principal, the undisclosed principal shall be deemed to be the offeror for the purposes of compliance with this Division. *New.* Where principal undisclosed

**92.** Where a take-over bid is made by or on behalf of a company, the take-over bid circular shall contain a statement that the contents thereof have been approved and the delivery thereof authorized by the directors of the offeror. *New.* Where offeror a company

**93.** The consent of a person or company required by section 87 to the inclusion of his report, opinion or statement in a take-over bid or in the material accompanying the take-over bid shall be reproduced in the take-over bid circular. *New.* Expert's reports to be reproduced

#### DIVISION C—SHARE EXCHANGE TAKE-OVER BIDS

**94.—(1)** A take-over bid circular required by subsection 3 of section 85 shall contain: Contents of take-over bid circular where consideration is securities

1. The information prescribed by the appropriate form of prospectus set out in the regulations that provides the most significant information concerning the affairs of the company whose securities are being offered in exchange for the shares of the offeree company.
2. The financial statements of the company whose securities are offered in exchange for the shares of the offeree company.
3. The particulars of any information known to the offeror that indicates any material change in the financial position or prospects of the company whose securities are offered in exchange for the shares of

the

the offeree company since the date of the last published interim or annual financial statement of such company.

Financial  
statements

(2) The financial statements referred to in item 2 of subsection 1 shall comply *mutatis mutandis* with the requirements of Part VII, except that the financial statements need not include any *pro forma* or other statement referred to in sections 44 and 45. *New.*

#### DIVISION D—CONTENTS OF DIRECTORS' CIRCULARS

Contents of  
directors'  
circulars

**95.** A directors' circular shall contain the following information:

1. The number, without duplication, and designation of any securities of the offeree company beneficially owned, directly or indirectly, by each director and each senior officer of the offeree company and their associates and, where known to the directors or senior officers, by each person or company who beneficially owns, directly or indirectly, equity shares of the offeree company carrying more than 10 per cent of the voting rights attached to all equity shares of the offeree company for the time being outstanding or, in each case, if none are so owned, a statement to that effect.
2. A statement as to whether each director and senior officer of the offeree company and their associates, and, where known to the directors or senior officers, each person or company who beneficially owns, directly or indirectly, equity shares of the offeree company carrying more than 10 per cent of the voting rights attached to all equity shares of the offeree company for the time being outstanding, has accepted or intends to accept the offer in respect of any shares of the offeree company sought to be acquired.
3. Where a take-over bid is made by or on behalf of a company, the number, without duplication, and designation of any securities of the offeror beneficially owned, directly or indirectly, by each director and each senior officer of the offeree company and their associates and, where known to the directors or senior officers, by each person or company who beneficially owns, directly or indirectly, equity shares of the offeree company carrying more than 10 per cent of the voting rights attached to all equity shares of the offeree company for the time being outstanding.



4. The particulars of any arrangement or agreement made or proposed to be made between the offeror and any of the directors or senior officers of the offeree company, including particulars of any payment or other benefit proposed to be made or given by way of compensation for loss of office or as to their remaining in or retiring from office if the take-over bid is successful.
5. Whether any director or senior officer of the offeree company and their associates and, where known to the directors or senior officers, whether any person or company who beneficially owns, directly or indirectly, equity shares of the offeree company carrying more than 10 per cent of the voting rights attached to all equity shares of the offeree company for the time being outstanding has any interest in any material contract to which the offeror is a party, and, if so, particulars of the nature and extent of such interest.
6. Where reasonably ascertainable, a summary showing in reasonable detail the volume of trading and the price range of the shares sought to be acquired pursuant to the take-over bid in the six-month period preceding the date thereof if such information is not disclosed in the take-over bid circular or if, in the opinion of the directors of the offeree company, such information is not adequately disclosed therein.
7. The particulars of any information known to any of the directors or senior officers of the offeree company that indicate any material change in the financial position or prospects of the offeree company since the date of the last published interim or annual financial statement of the offeree company.
8. The particulars of any other material facts not disclosed in the foregoing. *New.*

**96.** The consent of a person or company required by section 87 to the inclusion of his report, statement or opinion in a directors' circular or in the material accompanying the directors' circular shall be reproduced in the directors' circular. *New.*

Expert's  
reports  
to be  
reproduced

**97.** Where any financial statements of the offeree company accompany or form part of a directors' circular, such statements, if not reported upon by the auditor of the company, shall be accompanied by a report of the chief financial officer of the company who shall state in his report whether in his

Financial  
statements

opinion



opinion the financial statements referred to therein present fairly the financial position of the offeree company and the results of its operations for the period under review. *New.*

Approval of  
directors'  
circular

**98.** A directors' circular shall contain a statement that the contents thereof have been approved and the delivery thereof authorized by the directors of the offeree company. *New.*

#### OFFENCES

Offences,  
offerors

**99.**—(1) An offeror, whether or not an undisclosed principal, who makes a take-over bid that fails to comply with section 81 or 82 or who, in the course of effecting a take-over bid,

- (a) fails to comply with sections 83 or 84, where applicable;
- (b) fails to cause a take-over bid circular to form part of or accompany the take-over bid as required by subsection 1 of section 85;
- (c) mails a take-over bid circular that does not contain the information, statements or consents prescribed by Division B or contains any information that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statements contained therein false or misleading; or
- (d) mails a take-over bid circular to which subsection 3 of section 85 applies that does not contain the information, statements, consents and reports prescribed by Division C or contains any information that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statements contained therein false or misleading,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$25,000 or to imprisonment for a term of not more than one year, or to both, and every person or company who authorizes, permits or acquiesces in any such act or failure is also guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Idem,  
directors

(2) Every director of an offeree company who authorizes, permits or acquiesces in recommending to the shareholders of the offeree company by means of a directors' circular

acceptance

acceptance or rejection of a take-over bid without complying with section 86 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.

(3) Every director of an offeree company who authorizes, <sup>Idem</sup> permits or acquiesces in the mailing of a directors' circular that does not contain the information, statements, consents and reports prescribed by Division D or contains any information that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statement contained therein false or misleading, is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.

(4) No person or company is guilty of an offence under <sup>Defence</sup> clause *c* or *d* of subsection 1 or under subsection 3 in respect of any untrue statement of a material fact or omission to state a material fact in a take-over bid circular or directors' circular, as the case may be, if the untruth of such statement or the fact of such omission was not known to the person or company who authorized, permitted or acquiesced in the mailing of the take-over bid circular or the directors' circular, as the case may be, and in the exercise of reasonable diligence could not have been known to such person or company. *New.*

## PART X

### PROXIES AND PROXY SOLICITATION

**100.** In this Part,

<sup>Interpre-</sup>  
<sup>tation</sup>

(a) "corporation" means a company,

(i) that has issued equity shares that after this Act comes into force are distributed in the course of a primary distribution to the public, in respect of which a prospectus is filed with the Commission and a receipt therefor obtained, or

(ii) any of whose shares are listed and posted for trading on any stock exchange in Ontario recognized by the Commission,

other than,

(iii) a company incorporated by or under a general or special Act of the Legislature or a company to which Part II of *The Corporations Act* <sup>R.S.O. 1960,</sup>  
<sup>c. 71</sup> applies, or

(iv)

1953-54,  
c. 48 (Can.)

- (iv) a bank to which the *Bank Act* (Canada) applies;
- (b) "information circular" means the circular referred to in subsection 1 of section 102;
- (c) "solicit" and "solicitation" include,
  - (i) any request for a proxy whether or not accompanied by or included in a form of proxy,
  - (ii) any request to execute or not to execute a form of proxy or to revoke a proxy,
  - (iii) the sending or delivery of a form of proxy or other communication to a shareholder under circumstances reasonably calculated to result in the procurement, withholding or revocation of a proxy, and
  - (iv) the sending or delivery of a form of proxy to a shareholder under section 101,
 but do not include,
  - (v) the sending or delivery of a form of proxy to a shareholder in response to an unsolicited request made by him or on his behalf, or
  - (vi) the performance by any person or company of ministerial acts or professional services on behalf of a person or company soliciting a proxy. *New.*

Mandatory  
solicitation  
of proxies

**101.**—(1) Subject to section 103, if the management of a corporation gives or intends to give to its shareholders notice of a meeting of shareholders, the management shall, concurrently with or prior to giving such notice to shareholders whose last address as shown on the books of the corporation is in Ontario, send by prepaid mail to each such shareholder, who is entitled to vote at such meeting, at his last address as shown on the books of the corporation a form of proxy for use at such meeting that complies with section 104.

Offence

(2) If the management of a corporation fails to comply with subsection 1, the corporation is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and every director or officer of the corporation who authorized, permitted or acquiesced in such failure is also guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000. *New.*

**102.**—(1) Subject to subsection 2 and section 103, no person or company shall solicit proxies from shareholders whose last address as shown on the books of the corporation is in Ontario unless,

Information  
circular

- (a) in the case of a solicitation by or on behalf of the management of a corporation, an information circular, either as an appendix to or as a separate document accompanying the notice of the meeting, is sent by prepaid mail to each such shareholder of the corporation whose proxy is solicited at his last address as shown on the books of the corporation; or
- (b) in the case of any other solicitation, the person or company making the solicitation, concurrently with or prior thereto, delivers or sends an information circular to each such shareholder whose proxy is solicited.

(2) Subsection 1 does not apply to,

Where  
subs. 1  
does not  
apply

- (a) any solicitation, otherwise than by or on behalf of the management of a corporation, where the total number of shareholders whose proxies are solicited is not more than fifteen, two or more persons or companies who are the joint registered owners of one or more shares being counted as one shareholder;
- (b) any solicitation by a person or company made under section 79; or
- (c) any solicitation by a person or company in respect of shares of which he is the beneficial owner.

(3) A person or company that fails to comply with subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where a company fails to comply, every director or officer of such company who authorized, permitted or acquiesced in such failure is also guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

Offence

(4) A person or company who effects a solicitation that is subject to this section by means of a form of proxy, information circular or other communication that contains an untrue statement of a material fact or omits to state a material fact necessary in order to make any statement contained therein not misleading in the light of the circumstances in which it was made is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where a company

Idem



is guilty of such an offence, every director or officer of such company who authorized, permitted or acquiesced in such offence is also guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

Where  
subs. 4  
does not  
apply

(5) No person or company is guilty of an offence under subsection 4 in respect of any untrue statement of a material fact or omission to state a material fact in a form of proxy or information circular if the untruth of such statement or the fact of such omission was not known to the person or company that effected the solicitation and in the exercise of reasonable diligence could not have been known to such person or company. *New.*

Where  
Part X  
not to apply

**103.**—(1) If a requirement of this Part, in so far as it is applicable to a corporation incorporated by or under a special or general Act of the Parliament of Canada, conflicts with or is substantially similar to a requirement of the laws of Canada, the requirement of this Part does not apply.

Conflict

(2) Subject to subsection 1, upon the application of any interested person or company, the Commission may,

- (a) if a requirement of this Part conflicts with a requirement of the laws of the jurisdiction in which a company is incorporated; or
- (b) if the laws of a jurisdiction to which the corporation is subject contain substantially similar requirements as contained in this Part; or
- (c) if otherwise satisfied in the circumstances of the particular case that there is adequate justification for so doing,

make an order on such terms and conditions as seem to the Commission just and expedient exempting, in whole or in part, a person or company from the requirements of this Part.

When this  
Part ceases  
to apply

(3) A corporation that is subject to this Part by virtue only of subclause i of clause *a* of section 100 ceases to be subject to this Part if the corporation does not have owners of its equity shares whose last address as shown on the books of the corporation is in Ontario. *New.*

Special  
form of  
proxy

**104.** Where section 101 or 102 is applicable to a solicitation of proxies,

- (a) the form of proxy sent to a shareholder by a person or company soliciting proxies,



- (i) shall indicate in bold-face type whether or not the proxy is solicited by or on behalf of the management of the corporation, and
  - (ii) shall provide a specifically designated blank space for dating the form of proxy;
- (b) the form of proxy shall provide means whereby the person or company whose proxy is solicited is afforded an opportunity to specify that the shares registered in his name shall be voted by the nominee in favour of or against, in accordance with the choice of such person or company, each matter or group of related matters identified therein or in the information circular as intended to be acted upon, other than the election of directors and the appointment of auditors, provided that a proxy may confer discretionary authority with respect to matters as to which a choice is not so specified by such means if the form of proxy or the information circular states in bold-face type how it is intended to vote the shares represented by the proxy in each such case;
- (c) a proxy may confer discretionary authority with respect to,
  - (i) amendments or variations to matters identified in the notice of meeting, or
  - (ii) other matters which may properly come before the meeting,

provided that,

- (iii) the person or company by whom or on whose behalf the solicitation is made is not aware a reasonable time prior to the time the solicitation is made that any such amendments, variations or other matters are to be presented for action at the meeting, and
  - (iv) a specific statement is made in the information circular or in the form of proxy that the proxy is conferring such discretionary authority;

• (d) no proxy shall confer authority,

- (i) to vote for the election of any person as a director of the corporation unless a *bona fide* proposed nominee for such election is named in the information circular, or

(ii)

- (ii) to vote at any meeting other than the meeting specified in the notice of meeting or any adjournment thereof;
- (e) the information circular or form of proxy shall state that the shares represented by the proxy will be voted and that, where the person or company whose proxy is solicited specifies a choice with respect to any matter to be acted upon pursuant to clause *b*, the shares shall, subject to section 105, be voted in accordance with the specifications so made;
- (f) an information circular or form of proxy shall indicate in bold-face type that the shareholder has the right to appoint a person to represent him at the meeting other than the person, if any, designated in the form of proxy and shall contain instructions as to the manner in which the shareholder may exercise such right; and
- (g) if the form of proxy contains a designation of a named person as nominee, means shall be provided whereby the shareholder may designate in a form of proxy some other person as his nominee. *New.*

Where  
vote by  
ballot not  
required

**105.** If the aggregate number of shares represented at a meeting by proxies required to be voted for or against a particular matter or group of matters carries, to the knowledge of the chairman of the meeting, less than 5 per cent of the voting rights attached to the shares entitled to vote and represented at the meeting, the chairman of the meeting has the right not to conduct a vote by way of ballot on any such matter or group of matters unless a poll is demanded at the meeting or required by the laws of the jurisdiction of incorporation of the corporation. *New.*

Under-  
takings

**106.—(1)** The Commission may in its discretion direct the Registrar to refuse to issue a receipt for a prospectus until such time as the company proposing to distribute equity shares to be offered by the prospectus delivers or causes to be delivered to the Commission undertakings satisfactory to the Commission in which the company and such of its directors and officers as the Commission may designate undertake to comply with this Part or such of the provisions thereof as the Commission may specify.

Refusal of  
receipt

**(2)** The Commission may in its discretion, if satisfied that an undertaking given under subsection 1 has not been complied with, direct the Registrar either to refuse to issue a receipt for a prospectus relating to securities of the corporation that previously delivered an undertaking to the Commission or to refuse to issue such receipt unless the corporation and such of

its directors and officers as the Commission may designate have agreed to comply with such terms and conditions relating to proxies and proxy solicitation as may be imposed by the Commission. *New.*

**107.** The Lieutenant Governor in Council may make such <sup>Regulations</sup> regulations respecting the form and content of an information circular as he considers necessary or appropriate in the public interest. *New.*

## PART XI

### INSIDER TRADING

**108.—(1)** In this Part,

<sup>Interpre-</sup>  
<sup>tation</sup>

- (a) “capital security” means any share of any class of shares of a company or any bond, debenture, note or other obligation of a company, whether secured or unsecured;
- (b) “corporation” has the same meaning as in Part X;
- (c) “insider” or “insider of a corporation” means,
  - (i) any director or senior officer of a corporation, or
  - (ii) any person or company who beneficially owns, directly or indirectly, equity shares of a corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding, provided that in computing the percentage of voting rights attached to equity shares owned by an underwriter there shall be excluded any equity shares that have been acquired by him as underwriter in the course of distribution to the public of such shares, but such exclusion ceases to have effect on completion or cessation of the distribution to the public by him.

**(2)** For the purposes of this Part,

<sup>Idem</sup>

- (a) every director or senior officer of a company that is itself an insider of a corporation shall be deemed to be an insider of such corporation; and
- (b) the acquisition or disposition by an insider of a put, call or other transferable option with respect to a capital security shall be deemed a change in the beneficial ownership of the capital security to which such transferable option relates. *New.*

Report of  
beneficial  
ownership  
of securities

**109.**—(1) A person or company that is an insider of a corporation on the day on which this Act comes into force shall, within ten days after the end of the month in which such day occurs, file with the Commission a report, as of such day, of his direct or indirect beneficial ownership of capital securities of the corporation.

Idem

(2) A person or company that, after the day on which this Act comes into force, becomes an insider of a corporation shall, within ten days after the end of the month in which he becomes an insider, file with the Commission a report, as of the day on which he became an insider, of his direct or indirect beneficial ownership of capital securities of the corporation.

Idem

(3) If a person or company that is an insider of a corporation, but has no direct or indirect beneficial ownership of capital securities of the corporation, acquires direct or indirect beneficial ownership of any such securities, he shall, within ten days after the end of the month in which he acquired such direct or indirect beneficial ownership, file with the Commission a report, as of the date of such acquisition, of his direct or indirect beneficial ownership of capital securities of the corporation.

Subsequent  
reports of  
changes

(4) A person or company who has filed or is required to file a report under subsection 1, 2 or 3 and whose direct or indirect beneficial ownership of capital securities of the corporation changes from that shown or required to be shown in such report or in the last report filed by him under this subsection shall, within ten days following the end of the month in which such change takes place, provided that he was an insider of the corporation at any time during such month, file with the Commission a report of his direct or indirect beneficial ownership of capital securities of the corporation at the end of such month and the change or changes therein that occurred during the month and giving such details of each transaction as may be required by the regulations. *New.*

Reports  
may be  
inspected

**110.**—(1) All reports filed with the Commission under section 109 shall be open to public inspection at the offices of the Commission during normal business hours of the Commission, and any person may make extracts from such reports.

Publication  
of informa-  
tion  
contained  
in reports

(2) The Commission shall summarize in or as part of a monthly periodical for distribution to the public on payment of a reasonable fee therefor the information contained in the reports so filed. *New.*

Offence

**111.**—(1) Every person or company that is required to file a report under section 109 and who fails so to do is guilty of an offence and on summary conviction is liable to a fine



of not more than \$1,000, and, where a company fails to so report, every director or officer of such company who authorized, permitted or acquiesced in such failure is also guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

(2) Every person or company who files a report under <sup>Idem</sup> subsection 1, 2 or 3 of section 109 that is false or misleading by reason of the misstatement or omission of any material fact is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and, where a company files a false or misleading report, every director or officer of such company who authorized, permitted or acquiesced in the filing of such false or misleading report is also guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

(3) No person is guilty of an offence under subsection 2 if <sup>Saving</sup> he did not know and in the exercise of reasonable diligence could not have known that the report was false or misleading by reason of the misstatement or omission of a material fact.

(4) No prosecution shall be brought under subsection 1 or <sup>Consent to prosecute</sup> 2 without the consent of the Commission. *New.*

**112.—**(1) Whenever it appears to the Commission that <sup>Court order requiring report</sup> any person or company has failed to comply with section 109, it may in its discretion apply to a judge of the High Court designated by the Chief Justice of the High Court for an order requiring such person or company to comply therewith.

(2) An appeal lies to the Court of Appeal from an order <sup>Appeal</sup> made under subsection 1. *New.*

**113.—**(1) Every insider of a corporation or associate or <sup>Liability of insiders</sup> affiliate of such insider, who, in connection with a transaction relating to the capital securities of the corporation, makes use of any specific confidential information for his own benefit or advantage that, if generally known, might reasonably be expected to affect materially the value of such securities, is liable to compensate any person or company for any direct loss suffered by such person or company as a result of such transaction, unless such information was known or ought reasonably to have been known to such person or company at the time of such transaction, and is also accountable to the corporation for any direct benefit or advantage received or receivable by such insider, associate or affiliate, as the case may be, as a result of such transaction.



Limitation  
period

(2) An action to enforce any right created by subsection 1 may be commenced only within two years after the date of completion of the transaction that gave rise to the cause of action. *New.*

Order to  
commence  
action

**114.**—(1) Upon application by any person or company who was at the time of a transaction referred to in subsection 1 of section 113 or is at the time of the application an owner of capital securities of the corporation, a judge of the High Court designated by the Chief Justice of the High Court may, if satisfied that,

(a) such person or company has reasonable grounds for believing that the corporation has a cause of action under section 113; and

(b) either,

(i) the corporation has refused or failed to commence an action under section 113 within sixty days after receipt of a written request from such person or company so to do, or

(ii) the corporation has failed to prosecute diligently an action commenced by it under section 113,

make an order, upon such terms as to security for costs and otherwise as to the judge seems fit, requiring the Commission to commence or continue an action in the name of and on behalf of the corporation to enforce the liability created by section 113.

Notice  
to corpora-  
tion and  
O.S.C.

(2) The corporation and the Commission shall be given notice of any application under subsection 1 and has the right to appear and be heard thereon.

Order to  
require  
corporation  
to co-operate

(3) Every order made under subsection 1 shall provide that the corporation shall co-operate fully with the Commission in the institution and prosecution of such action and shall make available to the Commission all books, records, documents and other material or information known to the corporation or reasonably ascertainable by the corporation relevant to such action.

Appeal

(4) An appeal lies to the Court of Appeal from an order made under subsection 1. *New.*

Regulations

**115.** The Lieutenant Governor in Council may make regulations,

(a) prescribing the form and content of the reports required to be filed under section 109;

(b)

- (b) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Part. *New.*

**116.**—(1) Upon the application of an interested person or <sup>Conflict</sup> company, the Commission may,

- (a) if a requirement of section 109 conflicts with a requirement of the laws of the jurisdiction in which a corporation is incorporated; or
- (b) if the laws of the jurisdiction to which the corporation is subject contain substantially similar requirements as contained in section 109; or
- (c) if otherwise satisfied in the circumstances of the particular case that there is adequate justification for so doing,

make an order on such terms and conditions as seem to the Commission just and expedient exempting, in whole or in part, a person or company from the requirements of section 109.

(2) An insider of a corporation who is subject to this Part <sup>When insider ceases to be subject to this Part</sup> by virtue only of subclause i of clause a of section 100 ceases to be subject to this Part if the corporation does not have owners of its equity shares whose last address as shown on the books of the corporation is in Ontario. *New.*

**117.**—(1) The Commission may in its discretion direct the Registrar to refuse to issue a receipt for a prospectus until such time as the company proposing to distribute equity shares to be offered by the prospectus delivers or causes to be delivered to the Commission undertakings satisfactory to the Commission in which the company undertakes to cause its present and future directors and senior officers to comply with section 109 and in which the directors and senior officers of the company then in office undertake to comply with section 109. <sup>Under-takings</sup>

(2) The Commission may in its discretion, if satisfied that <sup>Refusal of receipt</sup> an undertaking given under subsection 1 has not been complied with, direct the Registrar either to refuse to issue a receipt for a prospectus relating to securities of a corporation which previously delivered an undertaking to the Commission or to refuse to issue such receipt unless the corporation, its directors and senior officers have agreed to comply with such terms and conditions relating to insider trading as may be imposed by the Commission. *New.*

## PART XII

## FINANCIAL DISCLOSURE

Interpre-  
tation**118.** In this Part,

(a) “auditor”, used in relation to a corporation, includes the auditor of the corporation and any other independent public accountant;

(b) “corporation” means a company,

(i) that has issued equity shares that, after this Act comes into force, are distributed in the course of a primary distribution to the public in respect of which a prospectus is filed with the Commission and a receipt therefor obtained, or

(ii) any of whose shares are listed and posted for trading on any stock exchange in Ontario recognized by the Commission,

other than,

(iii) a company incorporated by or under a general or special Act of the Legislature or a company to which Part II of *The Corporations Act* applies,

R.S.O. 1960,  
c. 711953-54,  
c. 48 (Can.)

(iv) a bank to which the *Bank Act* (Canada) applies, or

R.S.O. 1960,  
c. 222R.S.O. 1960,  
c. 190

(v) a loan corporation or trust company registered under *The Loan and Trust Corporations Act* or a company undertaking and transacting life insurance licensed under *The Insurance Act*. *New.*

Auditor's  
examination

**119.**—(1) The auditor of a corporation shall make such examination as will enable him to make the reports referred to in subsections 2, 3 and 4.

Auditor's  
report

(2) The financial statements referred to in section 120 shall be accompanied by a report of the auditor of the corporation who shall state in his report whether in his opinion the financial statements, other than the part thereof that relates to the period referred to in clause *b* of subsection 1 of section 120, referred to therein present fairly the financial position of the corporation and the results of its operations

for the period under review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.

(3) If the financial statements contain a statement of source <sup>Idem</sup> and application of funds, the auditor shall include in his report a statement whether in his opinion, in effect, the statement of source and application of funds presents fairly the information shown therein.

(4) The auditor in his report shall make such statements <sup>Idem</sup> as he considers necessary,

- (a) if the corporation's financial statements are not in agreement with its accounting records;
- (b) if the corporation's financial statements are not in accordance with the requirements of this Act;
- (c) if he has not received all the information and explanations that he has required; or
- (d) if proper accounting records have not been kept, so far as appears from his examination. *New.*

**120.**—(1) A corporation shall file with the Commission, <sup>Comparative financial statement</sup> within 170 days of the date to which it is made up, comparative financial statements relating separately to,

- (a) the period that commenced on the date of incorporation and ended as of the close of its first financial year or, if the corporation has completed a financial year, the latest completed financial year, as the case may be; and
- (b) the period covered by the financial year next preceding such latest completed financial year, if any,

made up of,

- (c) a statement of profit and loss for each period;
- (d) a statement of surplus for each period;
- (e) a statement of source and application of funds for each period; and
- (f) a balance sheet as at the end of each period.



Designation  
of state-  
ments

(2) It is not necessary to designate the financial statements referred to in subsection 1 as the statement of profit and loss, statement of surplus, statement of source and application of funds and balance sheet.

Omission of  
comparative  
statements

(3) Notwithstanding subsection 1, the financial statements referred to therein may relate only to the latest completed financial year if the reason for the omission of the statements in respect of the financial year next preceding such latest completed financial year is set out in the financial statements or by way of note thereto.

Omission  
of source  
and applica-  
tion of  
funds  
statement

(4) Notwithstanding clause *e* of subsection 1, the statement of source and application of funds may be omitted if the reason for such omission is set out in the financial statements or by way of note thereto. *New.*

Content of  
statement  
of profit  
and loss

**121.**—(1) The statement of profit and loss referred to in clause *c* of subsection 1 of section 120 shall be drawn up so as to present fairly the results of the operations of the corporation for the period covered by the statement and so as to distinguish severally at least,

- (a) sales or gross operating revenue;
- (b) the operating profit or loss before including or providing for other items of income or expense that are required to be shown separately;
- (c) income from investments in subsidiaries whose financial statements are not consolidated with those of the company;
- (d) income from investments in affiliated companies other than subsidiaries;
- (e) income from other investments;
- (f) non-recurring profits and losses of significant amount including profits or losses on the disposal of capital assets and other items of a special nature to the extent that they are not shown separately in the statement of earned surplus;
- (g) provision for depreciation or obsolescence or depletion;
- (h) amounts written off for goodwill or amortization of any other intangible assets to the extent that they are not shown separately in the statement of earned surplus;



- (i) interest on indebtedness initially incurred for a term of more than one year, including amortization of debt discount or premium and expense; and

- (j) taxes on income imposed by any taxing authority,

and shall show the net profit or loss for the financial period.

(2) Notwithstanding subsection 1, items of the natures <sup>Idem</sup> described in clauses *g* and *h* of subsection 1 may be shown by way of note to the statement of profit and loss.

(3) A corporation may apply to the Commission for an order permitting sales or gross operating revenue referred to in clause *a* of subsection 1 or subclause *i* of clause *b* of subsection 1 of section 129 to be omitted from the statement of profit and loss or the interim financial statement, as the case may be, and the Commission may, on such terms and conditions as it may impose, permit such omission where it is satisfied that in the circumstances the disclosure of such information would be unduly detrimental to the interests of the corporation. *New.* <sup>Order for omission of sales or gross operating revenue</sup>

**122.**—(1) The statement of surplus shall be drawn up so as to present fairly the transactions reflected in the statement and shall show separately a statement of contributed surplus and a statement of earned surplus. <sup>Content of statement of surplus</sup>

(2) The statement of contributed surplus shall be drawn up so as to include and distinguish the following items: <sup>Statement of contributed surplus</sup>

1. The balance of such surplus at the end of the preceding financial period.
2. The additions to and deductions from such surplus during the financial period including,
  - (a) the amount of surplus arising from the issue of shares or the reorganization of the corporation's issued capital, including *inter alia*,
    - (i) the amount of premiums received on the issue of shares at a premium, and
    - (ii) the amount of surplus realized on the purchase for cancellation of shares; and
  - (b) donations of cash or other property by shareholders.

3. The balance of such surplus at the end of the financial period.

Statement  
of earned  
surplus

(3) The statement of earned surplus shall be drawn up so as to distinguish at least the following items:

1. The balance of such surplus at the end of the preceding financial period.
2. The additions to and deductions from such surplus during the financial period and, without restricting the generality of the foregoing, at least the following:
  - i. The amount of the net profit or loss for the financial period.
  - ii. The amount of dividends declared on each class of shares.
  - iii. The amount transferred to or from reserves.
3. The balance of such surplus at the end of the financial period. *New.*

Content of  
statement  
of source  
and applica-  
tion of  
funds

**123.** The statement of source and application of funds referred to in clause *e* of subsection 1 of section 120 and clause *a* of subsection 1 of section 129 shall be drawn up so as to present fairly the information shown therein for the period and shall show separately at least,

(a) funds derived from,

- (i) current operations,
- (ii) sale of non-current assets, segregating investments, fixed assets and intangible assets,
- (iii) issue of securities maturing more than one year after issue, and
- (iv) issue of shares; and

(b) funds applied to,

- (i) purchase of non-current assets, segregating investments, fixed assets and intangible assets,
- (ii) redemption or other retirement of securities or repayment of other indebtedness maturing more than one year after issue,
- (iii) redemption or other retirement of shares, and
- (iv) payment of dividends. *New.*

**124.**—(1) The balance sheet referred to in clause *f* of subsection 1 of section 120 shall be drawn up so as to present fairly the financial position of the corporation as at the date to which it is made up and so as to distinguish severally at least the following:

Content of  
balance  
sheet

1. Cash.
2. Debts owing to the corporation from its directors, officers or shareholders, except debts of reasonable amount arising in the ordinary course of its business that are not overdue, having regard to its ordinary terms of credit.
3. Debts owing to the corporation, whether on account of a loan or otherwise, from subsidiaries whose financial statements are not consolidated with those of the corporation.
4. Debts owing to the corporation, whether on account of a loan or otherwise, from affiliated companies other than subsidiaries.
5. Other debts owing to the corporation, segregating those that arose otherwise than in the ordinary course of its business.
6. Inventory, stating the basis of valuation.
7. Shares, bonds, debentures and other investments owned by the corporation, except those referred to in items 8 and 9, stating their nature and the basis of their valuation and showing separately those that are marketable with a notation of their market value.
8. Shares or other securities of subsidiaries whose financial statements are not consolidated with those of the corporation, stating the basis of valuation.
9. Shares or other securities of affiliated companies other than subsidiaries, stating the basis of valuation.
10. Lands, buildings, and plant and equipment, stating the basis of valuation, whether cost or otherwise, and, if valued on the basis of an appraisal, the date of appraisal, the name of the appraiser, the basis of the appraisal value and, if such appraisal took place within the five years preceding the date to which the balance sheet is made up, the disposition in the accounts of the corporation of any amounts added

to or deducted from such assets on appraisal and also the amount or amounts accumulated in respect of depreciation, obsolescence and depletion.

11. There shall be stated under separate headings, in so far as they are not written off,
  - (a) expenditures on account of future business;
  - (b) any expense incurred in connection with any issue of shares;
  - (c) any expense incurred in connection with any issue of other securities, including any discount thereon; and
  - (d) any one or more of the following: goodwill, franchises, patents, copyrights, trade marks and other intangible assets and the amount, if any, by which the value of any such assets has been written up after the coming into force of this Act.
12. The aggregate amount of outstanding loans to provide, in accordance with a scheme for the time being in force, money for the purchase by trustees of fully paid shares of the corporation to be held by or for the benefit of *bona fide* employees of the corporation, whether or not they are shareholders or directors, and the aggregate amount of outstanding loans to *bona fide* employees of the corporation, other than directors, made with a view to enabling them to purchase fully paid shares of the corporation to be held by them by way of beneficial ownership.
13. Bank loans and overdrafts.
14. Debts owing by the corporation on loans from its directors, officers or shareholders.
15. Debts owing by the corporation to subsidiaries whose financial statements are not consolidated with those of the corporation, whether on account of a loan or otherwise.
16. Debts owing by the corporation to affiliated companies other than subsidiaries, whether on account of a loan or otherwise.
17. Other debts owing by the corporation, segregating those that arose otherwise than in the ordinary course of its business.



18. Liability for taxes, including the estimated liability for taxes in respect of the income of the period covered by the statement of profit and loss.
19. Dividends declared but not paid.
20. Deferred income.
21. Securities, other than shares, issued by the corporation, stating the interest rate, the maturity date, the amount outstanding and the existence of sinking fund, redemption requirements and conversion rights, if any.
22. The authorized capital, giving the number of each class of shares and a brief description of each such class, and indicating therein any class of shares that is redeemable and the redemption price thereof.
23. The issued capital, giving the number of shares of each class issued and outstanding and the amount received therefor that is attributable to capital, and showing,
  - (a) the number of shares of each class issued since the date of the last balance sheet and the value attributed thereto, distinguishing shares issued for cash, shares issued for services and shares issued for other consideration; and
  - (b) where any shares have not been fully paid,
    - (i) the number of shares in respect of which calls have not been made and the aggregate amount that has not been called, and
    - (ii) the number of shares in respect of which calls have been made and not paid and the aggregate amount that has been called and not paid.
24. Contributed surplus.
25. Earned surplus.
26. Reserves, showing the amounts added thereto and the amounts deducted therefrom during the financial period.



Idem

(2) Explanatory information or particulars of any item referred to in subsection 1 may be shown by way of note to the balance sheet. *New.*

Change in  
accounting  
principle  
or practice

**125.**—(1) There shall be stated by way of note to the financial statements particulars of any change in accounting principle or practice or in the method of applying any accounting principle or practice made during the period covered that affects the comparability of any of the statements with any of those for the preceding period, and the effect, if material, of any such change upon the profit or loss for the period.

Idem

(2) For the purpose of subsection 1, a change in accounting principle or practice or in the method of applying any accounting principle or practice affects the comparability of a statement with that for the preceding period, even though it did not have a material effect upon the profit or loss for the period.

Notes to  
financial  
statements

(3) Where applicable, the following matters shall be referred to in the financial statements or by way of note thereto:

1. The basis of conversion of amounts from currencies other than the currency in which the financial statements are expressed.
2. Foreign currency restrictions that affect the assets of the corporation.
3. Contractual obligations that will require abnormal expenditures in relation to the corporation's normal business requirements or financial position or that are likely to involve losses not provided for in the accounts.
4. Material contractual obligations in respect of long-term leases, including, in the year in which the transaction was effected, the principal details of any sale and lease transaction.
5. Contingent liabilities, stating their nature and, where practicable, the approximate amounts involved.
6. Any liability secured otherwise than by operation of law on any asset of the corporation, stating the liability so secured.
7. Any default of the corporation in principal, interest, sinking fund or redemption provisions with respect to any issue of its securities, other than shares, or credit agreements.

8. The gross amount of arrears of dividends on any class of shares and the date to which such dividends were last paid.
9. Where a corporation has contracted to issue shares or has given an option to purchase shares, the class and number of shares affected, the price and the date for issue of the shares or exercise of the option.
10. The aggregate direct remuneration paid or payable by the corporation and its subsidiaries, whose financial statements are consolidated with those of the corporation, to the directors and the senior officers of the corporation, and as a separate amount the aggregate direct remuneration paid or payable to such directors and senior officers by the subsidiaries of the corporation whose financial statements are not consolidated with those of the corporation.
11. Where the corporation is a holding company, the aggregate of any shares in and the aggregate of any securities, other than shares, of such corporation held by subsidiary companies whose financial statements are not consolidated with that of the holding company.
12. The amount of any loans by the corporation or by a subsidiary company, otherwise than in the ordinary course of business, during the corporation's financial period, to the directors or officers of the corporation.
13. Any restriction by the instrument of incorporation or any by-law, article or other like instrument or any amendments thereto or by contract on the payment of dividends that is significant in the light of the corporation's financial position.
14. Any event or transaction, other than one in the normal course of business operations, between the date to which the financial statements are made up and the date of the auditor's report thereon that materially affects the financial statements.
15. The amount of any obligation for pension benefits arising from service prior to the date of the balance sheet, whether or not such obligation has been provided for in the accounts of the corporation, the manner in which the corporation proposes to satisfy such obligation and the basis on which it has charged or proposes to charge the related costs against operations.

Idem (4) A note to the financial statements is a part of such financial statements. *New.*

Idem **126.** Notwithstanding sections 121 to 125, it is not necessary to state in the financial statements any matter that in all the circumstances is of relative insignificance. *New.*

Consolidated financial statements **127.**—(1) A corporation, in this section referred to as “the holding company”, may include in the financial statements referred to in section 120 the assets and liabilities and income and expense of any one or more of its subsidiaries, making due provision for minority interests, if any, and indicating in such financial statements that they are presented in consolidated form.

Idem (2) Where the assets and liabilities and income and expense of any one or more subsidiaries of the holding company are not so included in the financial statements of the holding company,

(a) the financial statements of the holding company shall include a statement setting forth,

(i) the reason why the assets and liabilities and income and expense of such subsidiary or subsidiaries are not included in the financial statements of the holding company,

(ii) if there is only one such subsidiary, the amount of the holding company's proportion of the profit or loss of such subsidiary for the financial period coinciding with or ending in the financial period of the holding company, or, if there is more than one such subsidiary, the amount of the holding company's proportion of the aggregate profits less losses, or losses less profits, of all such subsidiaries for the respective financial periods coinciding with or ending in the financial period of the holding company,

(iii) the amount included as income from such subsidiary or subsidiaries in the statement of profit and loss of the holding company and the amount included therein as a provision for the loss or losses of such subsidiary or subsidiaries,

(iv) if there is only one such subsidiary, the amount of the holding company's proportion of the undistributed profits of such subsidiary earned since the acquisition of the shares of such

subsidiary

subsidiary by the holding company to the extent that such amount has not been taken into the accounts of the holding company, or, if there is more than one such subsidiary, the amount of the holding company's proportion of the aggregate undistributed profits of all such subsidiaries earned since the acquisition of their shares by the holding company less its proportion of the losses, if any, suffered by any such subsidiary since the acquisition of its shares to the extent that such amount has not been taken into the accounts of the holding company,

- (v) any qualifications contained in the report of the auditor of any such subsidiary on its financial statements for the financial period ending as aforesaid, and any note or reference contained in the financial statements to call attention to a matter that, apart from the note or reference, would properly have been referred to in such a qualification, in so far as the matter that is the subject of the qualification or note is not provided for by the holding company's financial statements and is material from the point of view of its shareholders;
- (b) if for any reason the directors of the holding company are unable to obtain such information as is necessary for the preparation of the statement that is to be included in the financial statements of the holding company, the directors who sign the financial statements of the holding company shall so report in writing, and their report shall be included in the financial statements of the holding company in lieu of such statement; and
- (c) if, in the opinion of the auditor of the holding company, adequate provision has not been made in the financial statements of the holding company for the holding company's proportion,
  - (i) where there is only one such subsidiary, of the loss suffered by such subsidiary since the acquisition of its shares by the holding company, or
  - (ii) where there is more than one such subsidiary, of the aggregate losses suffered by such subsidiaries since the acquisition of their shares by

the



the holding company in excess of its proportion of the undistributed profits, if any, earned by any of such subsidiaries since such acquisition,

the auditor shall state in his report the additional amount that in his opinion is necessary to make full provision therefor. *New.*

#### Reserves

**128.** In a financial statement, the term "reserve" shall be used to describe only,

- (a) amounts appropriated from earned surplus at the discretion of management for some purpose other than to meet a liability or contingency known or admitted or a commitment made as at the statement date or a decline in value of an asset that has already occurred;
- (b) amounts appropriated from earned surplus pursuant to the instrument of incorporation or a by-law, article or other like instrument or any amendments thereto of the corporation for some purpose other than to meet a liability or contingency known or admitted or a commitment made as at the statement date or a decline in value of an asset that has already occurred; and
- (c) amounts appropriated from earned surplus in accordance with the terms of a contract and that can be restored to the earned surplus when the conditions of the contract are fulfilled. *New.*

#### Comparative interim financial statements

**129.—**(1) A corporation shall file with the Commission within sixty days of the date to which it is made up a copy of a comparative interim financial statement for the six-month period that commenced on the date of incorporation or, if the corporation has completed a financial year, for the six-month period that commenced immediately after the end of the last completed financial year and for the comparable six-month period, if any, in the twelve months immediately preceding the commencement of the six-month period in respect of which such interim financial statement is issued, made up of,

- (a) a statement of source and application of funds for each period that complies with section 123; and
- (b) sufficient relevant financial information in summary form to present fairly the results of the operations of the corporation for each period, including,



- (i) a statement of sales or gross operating revenue,
- (ii) extraordinary items of income or expense,
- (iii) net income before taxes on income imposed by any taxing authority,
- (iv) taxes on income imposed by any taxing authority, and
- (v) net profit or loss.

(2) The interim financial statement required by subsection <sup>Idem</sup> 1 may omit either or both of,

- (a) the information relating to the comparable period;
- (b) the statement of source and application of funds,

if the reason for the omission or omissions, as the case may be, is set out in the interim financial statement or by way of note thereto.

(3) There shall be stated by way of note to the interim financial statement required by subsection 1 the particulars of <sup>Note to interim financial statement</sup> any change in accounting principle or practice or in the method of applying any accounting principle or practice made during the period covered that affects the comparability of such statement with the statement for the preceding period or with the interim financial statement for a part of the preceding period, and the effect, if material, of any such change upon the profit or loss for the period covered by the interim financial statement.

(4) For the purpose of subsection 3, a change in accounting <sup>Idem</sup> principle or practice or in the method of applying any accounting principle or practice affects the comparability of a statement with that for the preceding period or part thereof, even though it did not have a material effect upon the profit or loss for the period covered by the interim financial statement.

(5) The interim financial statement required by subsection <sup>Time of mailing</sup> 1 shall be sent, within sixty days of the date to which it is made up, by prepaid mail to each shareholder whose latest address as shown on the books of the corporation is in Ontario.  
*New.*

**130.—**(1) A corporation may comply with this Part by <sup>Filing with Commission</sup> concurrently filing with the Commission,

- (a) the financial statements and the auditor's reports thereon and the interim financial statements, if any,

that

that are sent or otherwise made available by the corporation to its shareholders; and

- (b) such additional financial information, if any, as is required, when combined with the financial information contained in the financial statements and interim financial statements referred to in clause *a*, to substantially comply with sections 120 to 129.

*Idem*

(2) Additional financial information filed under clause *b* of subsection 1 shall be accompanied by a report of the auditor of the corporation who shall state in his report whether, in his opinion, such additional financial information, together with the financial statements filed under clause *a* of subsection 1 relating to the same financial period, provides the information required by subsection 1.

*Idem*

(3) Notwithstanding subsection 2, the report of the auditor of the corporation need not relate to the financial year referred to in clause *b* of subsection 1 of section 120 or to any interim financial statement or information.

*Idem*

(4) Where a corporation complies with this Part by complying with subsection 1, the financial statements and the auditor's reports thereon, the interim financial statements and the additional financial information referred to in clauses *a* and *b* of subsection 1 shall be filed with the Commission,

- (a) within five days after such financial statements are mailed by the corporation to its shareholders; or
- (b) within 170 days of the date to which such financial statements are made up or, in the case of interim financial statements, within sixty days of the date to which the interim financial statements are made up,

whichever is earlier. *New.*

*Conflict*

**131.**—(1) Upon the application of a corporation, the Commission may,

- (a) if a requirement of this Part conflicts with a requirement of the laws of the jurisdiction in which a corporation is incorporated; or
- (b) if the laws of the jurisdiction to which the corporation is subject contain substantially similar requirements as contained in this Part; or

(c)

- (c) if otherwise satisfied in the circumstances of the particular case that there is adequate justification for so doing,

make an order on such terms and conditions as seem to the Commission just and expedient exempting, in whole or in part, the corporation from the requirements of this Part.

(2) A corporation that is subject to this Part by virtue only of subclause i of clause b of section 118 ceases to be subject to this Part if the corporation does not have owners of its equity shares whose last address as shown on the books of the corporation is in Ontario. *New.*

When this Part ceases to apply

**132.**—(1) The Commission may in its discretion direct the Registrar to refuse to issue a receipt for a prospectus until such time as the company proposing to distribute the equity shares to be offered by the prospectus delivers or causes to be delivered to the Commission undertakings satisfactory to the Commission in which the company undertakes to comply with this Part.

Under-takings

(2) The Commission may in its discretion, if satisfied that an undertaking given under subsection 1 has not been complied with, direct the Registrar either to refuse to issue a receipt for a prospectus relating to securities of the corporation that previously delivered an undertaking to the Commission or to refuse to issue such receipt unless the corporation has agreed to comply with such terms and conditions relating to financial disclosure as may be imposed by the Commission. *New.*

Refusal of receipt

**133.**—(1) A company that is subject to sections 82 to 93a of *The Corporations Act* and that is a corporation within the meaning of subclause i or ii of clause b of section 118 shall file with the Commission its financial statements, auditor's reports thereon and interim financial statements that are required to be mailed by the company to its shareholders.

Material to be filed by certain companies  
R.S.O. 1960, c. 71

(2) The financial statements, auditor's reports thereon and interim financial statements referred to in subsection 1 shall be filed with the Commission within five days after the date such statements are mailed or required to be mailed by the company to its shareholders, whichever is earlier. *New.*

Time of filing

**134.** The financial statements, auditor's reports thereon, interim financial statements and additional financial information filed with the Commission under this Part shall be open to public inspection at the offices of the Commission during normal business hours of the Commission. *New.*

Inspection of filed material

Offence

**135.** A corporation that fails to comply with any provision of this Part is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, and every director or officer of the corporation who authorized, permitted or acquiesced in any such failure is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.  
*New.*

## PART XIII

## OFFENCES AND PENALTIES

Offences,  
general

**136.**—(1) Every person or company who,

- (a) makes a statement in any material, evidence or information submitted or given under this Act or the regulations to the Commission, its representative, the Director or the Registrar or to any person appointed to make an investigation or audit under this Act that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statement false or misleading;
- (b) makes a statement in any application, report, prospectus, return, financial statement or other document, required to be filed or furnished under this Act or the regulations that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact or that omits to state any material fact, the omission of which makes the statement false or misleading;
- (c) contravenes this Act or the regulations; or
- (d) fails to observe or comply with any order, direction or other requirement made under this Act or the regulations,

is, except where such conduct also constitutes an offence under Parts IX, X, XI and XII, guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Defence

(2) No person or company is guilty of an offence under clause *a* or *b* of subsection 1 if he did not know that the statement was false or misleading and in the exercise of reasonable diligence could not have known that the statement was false or misleading.



(3) Where a company is guilty of an offence under sub-section 1, every director or officer of such company who authorized, permitted or acquiesced in such offence is also guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both. <sup>Directors and officers</sup>

(4) Notwithstanding subsection 1, where a company is convicted thereunder, the maximum fine that may be imposed is \$25,000. 1964, c. 107, s. 2, *amended*. <sup>Companies, maximum fine</sup>

**137.**—(1) No proceedings under section 99 or 136 shall be instituted except with the consent or under the direction of the Minister. <sup>Consent of Minister</sup>

(2) No proceedings under this Act shall be commenced more than one year after the facts upon which the proceedings are based first came to the knowledge of the Commission. R.S.O. 1960, c. 363, s. 65, *amended*. <sup>Time limitation</sup>

**138.** An information or complaint in respect of any contravention of this Act may be for one or more offences, and no information, complaint, summons, warrant, conviction or other proceedings in any such prosecution is objectionable or insufficient by reason of the fact that it relates to two or more offences. R.S.O. 1960, c. 363, s. 66. <sup>Information may charge more than one offence</sup>

## PART XIV

### GENERAL PROVISIONS

**139.**—(1) No person or company shall carry on business as a stock exchange in Ontario unless such stock exchange is recognized in writing as such by the Commission. <sup>Stock exchanges</sup>

(2) The Commission may, where it appears to it to be in the public interest, make any direction, order, determination or ruling, <sup>Idem, Commission's powers</sup>

- (a) with respect to the manner in which any stock exchange in Ontario carries on business;
- (b) with respect to any by-law, ruling, instruction or regulation of any such stock exchange;
- (c) with respect to trading on or through the facilities of any such stock exchange or with respect to any security listed and posted for trading on any such stock exchange; or

(d)



- (d) to ensure that companies whose securities are listed and posted for trading on any such stock exchange comply with this Act and the regulations. *New.*

Idem,  
records and  
particulars  
of trans-  
actions

**140.** Every stock exchange in Ontario shall keep a record showing the time at which each transaction on such exchange took place and shall supply to any customer of any member of such exchange, upon production of a written confirmation of any transaction with such member, particulars of the time at which the transaction took place and verification or otherwise of the matters set forth in the confirmation. R.S.O. 1960, c. 363, s. 68.

Liability  
of directors,  
etc.

**141.** Where a receipt for a prospectus has been issued by the Registrar, notwithstanding that such receipt is thereafter revoked, every purchaser of the securities to which the prospectus relates shall be deemed to have relied upon the statements made in the prospectus whether the purchaser has received the prospectus or not, and, if a material false statement is contained in the prospectus, every person who, at the time of the issue of a receipt for the prospectus, is a director of a company issuing the securities or a person or company who signed the certificate required by section 52 is liable to pay compensation to all persons or companies who have purchased the securities for any loss or damage such persons or companies have sustained as a result of such purchase unless it is proved,

- (a) that the prospectus was filed with the Commission without his knowledge or consent, and that, on becoming aware of its filing with the Commission, he forthwith gave reasonable public notice that it was so filed;
- (b) that, after the issue of a receipt for the prospectus and before the purchase of the securities by such purchaser, on becoming aware of any false statement therein, he withdrew his consent thereto and gave reasonable public notice of such withdrawal and of the reason therefor;
- (c) that, with respect to every false statement, he had reasonable grounds to believe and did believe that the statement was true;
- (d) that he had no reasonable grounds to believe that an expert who made a statement in a prospectus or whose report or valuation was produced or fairly summarized therein was not competent to make such statement, valuation or report; or

(e)

- (e) that, with respect to every false statement purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, it was a correct and fair representation of the statement or copy of or extract from the document. R.S.O. 1960, c. 363, s. 69 (1), *amended*.

**142.**—(1) Except with the consent of the Minister, no <sup>Actions and other</sup> proceedings by way of injunction, mandamus, prohibition or other extraordinary remedy lies or shall be instituted,

- (a) against any person, whether in his public or private capacity, or against any company in respect of any act or omission in connection with the administration or the carrying out of the provisions of this Act or the regulations where such person is a member of the Commission, a representative of the Commission or the Director or Registrar, or where such person or company was proceeding under the written or oral direction or consent of any one of them or under an order of the Minister made under this Act; or
- (b) against any exchange auditor, district association auditor or association auditor, employed under clause *b* of section 30, in respect of the performance of his duties as such. R.S.O. 1960, c. 363, s. 70, *amended*.

(2) No person or company has any rights or remedies and <sup>Idem</sup> no proceedings lie or shall be brought against any person or company in respect of any act or omission of the last-mentioned person or company done or omitted in compliance or intended compliance with,

- (a) any requirement, order or direction under this Act of,
- (i) the Commission or any member thereof,
  - (ii) the Director,
  - (iii) the Registrar,
  - (iv) any person appointed by order of the Minister,
  - (v) the Minister,
  - (vi) any representative of the Minister, the Commission, the Director or Registrar or of any person appointed by the Minister; or

(b)

(b) this Act and the regulations. R.S.O. 1960, c. 363, s. 71, *amended*.

Securities  
Commission  
Advisory  
Board

**143.**—(1) There shall be a board of not more than five members to be known as The Financial Disclosure Advisory Board, the members of which shall be appointed by the Lieutenant Governor in Council and shall hold office during pleasure, and the Lieutenant Governor in Council may designate one of the members to be chairman of the Advisory Board.

Meetings

(2) The Advisory Board shall meet at the call of the Commission.

Duties

(3) The Advisory Board shall, when requested by the Commission, consult with and advise the Commission concerning the financial disclosure requirements of this Act and the regulations.

Allowances  
and  
expenses

(4) The members of the Advisory Board shall serve without remuneration, but the Lieutenant Governor in Council may fix a *per diem* allowance to be payable to each member, and every member is entitled to his reasonable and necessary expenses, as certified by the chairman, for attending at meetings and in the transaction of the business of the Advisory Board. *New*.

Regulations

**144.** The Lieutenant Governor in Council may make regulations,

- (a) prescribing the form and content of prospectuses and statements of material facts;
- (b) prescribing requirements respecting applications for registration and renewal of registration, and providing for the expiration of registrations;
- (c) regulating the listing and trading of securities and records relating thereto;
- (d) governing the furnishing of information to the public or to the Commission by a registrant in connection with securities or trades therein;
- (e) governing the keeping of accounts and records, the preparation and filing of financial statements of the affairs of security issuers and the audit requirements with respect thereto;

(f)

- (f) designating any person or company or any class of persons or companies that shall not be required to obtain registration as investment counsel or securities adviser;
- (g) prescribing the fees payable to the Commission, including fees for filing, fees upon applications for registration, fees in respect of audits made by the Commission and other fees in connection with the administration of this Act and the regulations;
- (h) prescribing the documents, reports, statements, agreements and other information and the form, content and other particulars relating thereto that are required to be filed, furnished or delivered under this Act and the regulations;
- (i) prescribing the practice and procedure of investigations under sections 21 and 23;
- (j) prescribing the forms for use under this Act and the regulations;
- (k) prescribing trades or securities, in addition to the trades and securities referred to in section 19, in respect of which registration shall not be required;
- (l) prescribing trades or securities referred to in section 19 in respect of which there shall cease to be exemption from registration;
- (m) prescribing trades or securities, in addition to the trades and securities referred to in section 58, in respect of which section 35 does not apply;
- (n) prescribing terms and conditions that shall be contained in an escrow or pooling agreement with respect to securities issued for a consideration other than cash;
- (o) prescribing the practice and procedure by which the Commission recognizes exempt purchasers under paragraph 3 of subsection 1 of section 19;
- (p) prescribing the information required or permitted to be distributed under clause *a* of subsection 2 of section 36;
- (q) prohibiting or otherwise regulating the distribution of written or printed material by a person or company with respect to a security whether in the course of primary distribution to the public or otherwise;

(r)



- (r) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 363, s. 72; 1962-63, c. 131, s. 24; 1964, c. 107, s. 3, *amended*.

Admissibility  
in evidence  
of certified  
statements

**145.** A statement as to,

- (a) the registration or non-registration of any person or company;
- (b) the filing or non-filing of any document or material required or permitted to be filed with the Commission; or
- (c) any other matter pertaining to such registration, non-registration, filing or non-filing or to any such person, document or material,

purporting to be certified by the Commission or a member thereof or by the Director or the Registrar is, without proof of the office or signature of the person certifying, receivable in evidence, so far as relevant, for all purposes in any action, proceeding or prosecution. R.S.O. 1960, c. 363, s. 73.

Execution  
of warrant  
issued in  
another  
province

**146.**—(1) Where a magistrate or justice of another province issues a warrant for the arrest of any person on a charge of contravening any provision of a statute of such province similar to this Act, any magistrate or justice of Ontario within whose jurisdiction that person is or is suspected to be may, upon satisfactory proof of the handwriting of the magistrate or justice who issued the warrant, make an endorsement thereon in the form prescribed by the regulations, and a warrant so endorsed is sufficient authority to the person bringing the warrant and to all other persons to whom it was originally directed and to all constables within the territorial jurisdiction of the magistrate or justice so endorsing the warrant to execute it within that jurisdiction and to take the person arrested thereunder either out of or anywhere in Ontario and to re-arrest such person anywhere in Ontario.

Prisoner  
in transit

(2) Any constable of Ontario or of any other province of Canada who is passing through Ontario having in his custody a person arrested in another province under a warrant endorsed in pursuance of subsection 1 is entitled to hold, take and re-arrest the accused anywhere in Ontario under such warrant without proof of the warrant or the endorsement thereof. R.S.O. 1960, c. 363, s. 74.



## PART XV

## MISCELLANEOUS

**147.**—(1) *The Securities Act, The Securities Amendment Act, 1962-63, The Securities Amendment Act, 1964 and The Securities Amendment Act, 1965* are repealed.

R.S.O. 1960,  
c. 363;  
1962-63,  
c. 131;  
1964, c. 107;  
1965, c. 120,  
repealed

(2) Every registration in force under *The Securities Act* at the date of the coming into force of this Act shall, subject to this Act, continue in force as a registration under this Act.

Registra-  
tions under  
R.S.O. 1960,  
c. 363

(3) Where, within a period of one year prior to the date on which this Act comes into force, a prospectus was filed pursuant to *The Securities Act* in such circumstance that section 35 or 56 of this Act would have been applicable thereto if the sections had been in force on the date of the filing of such prospectus, then sections 55 and 56 of this Act shall be applicable thereto *mutatis mutandis*, and the material, if any, required to be filed with the Commission under section 56, if the primary distribution is to continue, shall be filed with the Commission and a receipt therefor obtained from the Registrar within twelve months and twenty days of the date of the prospectus filed or last prospectus filed, as the case may be, under *The Securities Act* or, subject to such terms and conditions as the Commission may require, within such greater number of days as it may permit.

Idem

**148.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-  
ment

**149.** This Act may be cited as *The Securities Act, 1966*.

Short title



## CHAPTER 143

## An Act to amend The Separate Schools Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *da* of section 17 of *The Separate Schools Act*, as enacted by section 1 of *The Separate Schools Amendment Act, 1962-63*, is amended by striking out "rural school section" in the second and third lines and inserting in lieu thereof "school section in one or more townships", so that the clause shall read as follows:

R.S.O. 1960,  
c. 368, s. 17,  
cl. *da*  
(1962-63,  
c. 132, s. 1),  
amended

(*da*) "rural separate school zone" means a separate school zone established under section 18 in a school section in one or more townships or under section 21 in territory without municipal organization.

**2.** Subsection 12*a* of section 22 of *The Separate Schools Act*, as enacted by section 2 of *The Separate Schools Amendment Act, 1964*, is amended by striking out "the gross cost per pupil per day for the preceding year" in the eleventh and twelfth lines and inserting in lieu thereof "that calculated in accordance with subsection 1 of section 100*a* of *The Schools Administration Act*", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 368, s. 22,  
subs. 12*a*  
(1964,  
c. 108, s. 2),  
amended

(12*a*) A separate school board and a public school board may by agreement provide that, where accommodation is available in the schools operated by the public school board, as certified by the public school inspector, the public school board shall furnish education in such course or courses as are not available in the separate schools operated by the separate school board for part or all of the pupils of such separate schools, and the separate school board shall pay to the public school board for each of such pupils a fee not in excess of that calculated in accordance with subsection 1 of section 100*a* of *The Schools Administration Act*.

Agreements  
between  
public and  
separate  
school  
boards

R.S.O. 1960,  
c. 361

R.S.O. 1960,  
c. 368, s. 24,  
subs. 3,  
repealed

3. Subsection 3 of section 24 of *The Separate Schools Act* is repealed.

R.S.O. 1960,  
c. 368, s. 27,  
subs. 19,  
amended

4. Subsection 19 of section 27 of *The Separate Schools Act* is amended by inserting after "time" in the third line "the inspector or", so that the subsection shall read as follows:

Meetings to  
be called  
in default  
of first  
or annual  
meetings

(19) If from want of proper notice or other cause any meeting for the election of trustees is not held at the proper time, the inspector or any two supporters of the school may call a meeting by giving six days notice posted up in at least three of the most public places in the locality in which the school is situate, and the meeting thus called has all the powers and shall perform all the duties of the meeting in the place of which it is called.

R.S.O. 1960,  
c. 368, s. 32,  
subs. 1a,  
(1961-62,  
c. 132, s. 4,  
subs. 1),  
re-enacted

5.—(1) Subsection 1a of section 32 of *The Separate Schools Act*, as enacted by subsection 1 of section 4 of *The Separate Schools Amendment Act, 1961-62* and amended by subsection 2 of section 5 of *The Separate Schools Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Adjustment  
of rights

(1a) In order to adjust the rights and claims of the combining boards, the supporters of any school may offer to assume and may assume a differential in rates for a stated period of time.

R.S.O. 1960,  
c. 368, s. 32,  
subs. 2a,  
(1961-62,  
c. 132, s. 4,  
subs. 1),  
amended

(2) Subsection 2a of the said section 32, as enacted by subsection 1 of section 4 of *The Separate Schools Amendment Act, 1961-62*, is amended by striking out "and" in the seventh line and inserting in lieu thereof "in December and at such", so that the subsection shall read as follows:

First  
election of  
trustees

(2a) For the purpose of electing the first trustees for a combined separate school, the boards of the separate schools forming the combined separate school shall, before the 1st day of December, each appoint a person to a committee, which shall call a meeting of the supporters of the separate schools for the purpose of electing trustees at such time in December and at such place as the committee may determine.

R.S.O. 1960,  
c. 368, s. 32,  
amended

(3) The said section 32 is amended by adding thereto the following subsection:

Trustees

(2b) Where a combined separate school is formed or where another separate school is added to or detached from a combined separate school, the trustees in office shall retire on the 1st day of January following the

election

election of trustees of the combined separate school, and, subject to subsection 6, five trustees shall be elected by the supporters of the newly-created or altered combined separate school as provided in section 27.

**6.** Subsection 1 of section 33 of *The Separate Schools Act* is amended by inserting after "board" in the first line "of a rural separate school zone", so that the subsection shall read as follows: R.S.O. 1960, c. 368, s. 33, subs. 1, amended

- (1) The board of a rural separate school zone has power to select a site for a new schoolhouse or to agree upon a change of site for an existing schoolhouse, and shall forthwith call a special meeting of the supporters of the school to consider the site selected, and no site shall be adopted or change of school site made, except in the manner hereinafter provided, without the consent of the majority of such special meeting. Selection or change of school site

**7.** Subsection 2 of section 44 of *The Separate Schools Act* is repealed. R.S.O. 1960, c. 368, s. 44, subs. 2, repealed

**8.** *The Separate Schools Act* is amended by adding thereto the following section: R.S.O. 1960, c. 368, amended

45a. A separate school board may enter into an agreement with any other separate school board to provide for the other board, Agreements to provide administrative accommodation or sharing of teachers, etc.

- (a) accommodation for administrative purposes;  
or  
(b) the services of a psychiatrist, psychologist or teacher.

**9.** Subclause ii of clause *e* of subsection 11 of section 48 of *The Separate Schools Act*, as re-enacted by section 8 of *The Separate Schools Amendment Act, 1962-63*, is amended by inserting after "clerk" in the first line "and assessor", so that the subclause shall read as follows: R.S.O. 1960, c. 368, s. 48 (1962-63, c. 132, s. 8), subs. 11, cl. e, subcl. ii, amended

- (ii) to the township clerk and assessor, a map showing the zone boundaries within the township and a description of each zone, and
- . . . . .

**10.** Subsection 1 of section 62 of *The Separate Schools Act* is amended by striking out "at or before the meeting of the council in the month of February in any year or prior thereto" R.S.O. 1960, c. 368, s. 62, subs. 1, amended



if required by the council" in the second and third lines and inserting in lieu thereof "on or before the 1st day of February in any year", so that the subsection shall read as follows:

Collection  
of separate  
school rates  
by the  
municipality

(1) A municipal council, if so requested by the board on or before the 1st day of February in any year, shall, through its collectors and other municipal officers, cause to be levied in such year upon the taxable property liable to pay the same all sums of money for rates or taxes imposed thereon in respect of separate schools.

Commence-  
ment

**11.**—(1) This Act, except sections 2 and 3, comes into force on the day it receives Royal Assent.

Idem

(2) Section 2 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

(3) Section 3 comes into force on the 1st day of January, 1967.

Short title

**12.** This Act may be cited as *The Separate Schools Amendment Act, 1966*.

## CHAPTER 144

## An Act to amend The Sheriffs Act

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 22 of *The Sheriffs Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 371, s. 22,  
subs. 1,  
re-enacted

- (1) When the office of sheriff becomes vacant or the sheriff is unable to act, the deputy sheriff shall perform the duties of sheriff until a sheriff is appointed and sworn into office or until the sheriff is able to act, and the deputy sheriff is answerable for the execution of the office during such interval as the sheriff would by law have been if he had continued to be in office or to act, and the security given to the sheriff by the deputy sheriff and his pledges, as well as the security furnished on behalf of the sheriff, remains and is a security to Her Majesty and to all persons whomsoever for the performance by the deputy sheriff of the duties of the office during such interval.

When  
deputy  
sheriff  
to act as  
sheriff

(2) Subsection 2 of the said section 22 is amended by striking out "If" in the first line and inserting in lieu thereof "Where the office of sheriff becomes vacant and", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 371, s. 22,  
subs. 2,  
amended

- (2) Where the office of sheriff becomes vacant and there is no deputy sheriff, the Crown attorney for the county or district, as the case may be, shall be the sheriff *pro tempore* until another person is appointed sheriff, and the Crown attorney on becoming sheriff *pro tempore* may appoint a deputy sheriff, and shall do and perform every other act, matter or thing necessary for the execution of the office.

Where  
there is  
no deputy  
sheriff

(3) Subsection 3 of the said section 22 is amended by striking out "been living or had continued in office" in the

R.S.O. 1960,  
c. 371, s. 22,  
subs. 3,  
amended

third line and inserting in lieu thereof "continued to be in office or to act", so that the subsection shall read as follows:

Temporary  
officer  
to be  
responsible

- (3) During such interval, the sheriff *pro tempore* is answerable for the execution of the office, as the sheriff would by law have been if he had continued to be in office or to act, and any security given by or furnished on behalf of the sheriff remains and is a security to Her Majesty, and to all persons whomsoever, for the performance of the duties of the office by the sheriff *pro tempore* and his deputy.

Commence-  
ment

- 2.** This Act comes into force on the day it receives Royal Assent.

Short title

- 3.** This Act may be cited as *The Sheriffs Amendment Act, 1966*.

## CHAPTER 145

**An Act to repeal The Stallions Act**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** *The Stallions Act* is repealed.

R.S.O. 1960,  
c. 380,  
repealed

- 2.** This Act does not affect any entitlement to the payment of a premium payable under the regulations made under *The Stallions Act* in respect of the year 1965.

Entitlement  
to premiums  
preserved

- 3.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

- 4.** This Act may be cited as *The Stallions Repeal Act, 1966*.

Short title





## CHAPTER 146

**An Act to provide for the Establishment  
of The St. Clair Parkway Commission**

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.

**1. In this Act,**

Interpre-  
tation

- (a) "Commission" means The St. Clair Parkway Commission established by this Act;
- (b) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council;
- (c) "Parks" means all land and interests in land in the counties of Kent and Lambton and in the cities of Chatham and Sarnia hereafter acquired by, vested in or placed under the control of the Commission, including highways, roads and boulevards;
- (d) "participating municipalities" means The Corporation of the County of Kent, The Corporation of the County of Lambton, The Corporation of the City of Chatham and The Corporation of the City of Sarnia.

**2.—(1)** There is hereby constituted a corporation without share capital under the name of "The St. Clair Parkway Commission" composed of not more than eleven members as follows:

- (a) two persons appointed annually by the council of the County of Lambton;
- (b) two persons appointed annually by the council of the City of Sarnia;
- (c) one person appointed annually by the council of the County of Kent;

(d)

(d) one person appointed annually by the council of the City of Chatham; and

(e) not more than five persons appointed by the Lieutenant Governor in Council for terms of not more than three years,

but each member shall hold office until his successor is appointed.

**Chairman  
and vice-  
chairman**

(2) The Lieutenant Governor in Council shall designate one member as chairman and may designate one member as vice-chairman.

**Remunera-  
tion**

(3) The chairman, the vice-chairman, if any, and the other members of the Commission may be paid such remuneration as is fixed by the Lieutenant Governor in Council.

**Acting  
chairman**

(4) In the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman or, if none, such member of the Commission as the Commission designates for such purpose shall act as and have all the powers of the chairman.

**Vacancies**

(5) Where a vacancy occurs on the Commission, the body that made the appointment of the member whose office is vacant may appoint a member to hold office for the remainder of the term of his predecessor.

**Members of  
Assembly  
R.S.O. 1960,  
c. 208**

(6) Notwithstanding *The Legislative Assembly Act*, any member of the Assembly may be appointed as a member of the Commission and is entitled to act as such and receive remuneration therefor without thereby vacating or forfeiting his seat or incurring any other penalty for sitting or voting as a member of the Assembly.

**Members of  
council  
R.S.O. 1960,  
c. 249**

(7) Subsection 1 of section 35 of *The Municipal Act* does not apply to a member of a municipal council by reason only of his being a member of the Commission or of his being entitled to or receiving remuneration as a member of the Commission.

**Quorum**

(8) The powers of the Commission may be exercised by a quorum of not fewer than seven members, but, where the number of members present at a meeting is fewer than ten, any decision of the Commission must have the approval of at least five members.

**Local board  
R.S.O. 1960,  
c. 98**

(9) The Commission is a local board within the meaning of *The Department of Municipal Affairs Act*.

**3.** It is the duty of the Commission to develop, control, manage, operate and maintain the Parks, and, for the purpose of carrying out such duty, the Commission has power, <sup>General powers and duties</sup>

- (a) to make such by-laws, rules and orders as may be deemed expedient for the administration and management of the affairs and the conduct of the business of the Commission;
- (b) to acquire, construct, operate, maintain and generally manage and provide recreational facilities, archaeological and historic sites, restaurants, refreshment booths, stands for the sale of souvenirs and other wares, shops, sanitary and toilet facilities, buses and other vehicles for use in connection with the Parks, boats and boat lines, camp sites and any and all other facilities or conveniences incidental to or necessary for the proper operation and maintenance of the Parks;
- (c) to enter into agreements with persons with respect to the establishment or operation by them of any works or services in connection with the Parks;
- (d) to study and investigate the Parks and to determine a scheme whereby the Parks may be most advantageously developed and maintained; and
- (e) to enter into agreements with owners of lands to facilitate the development, operation or maintenance of the Parks.

**4.**—(1) With the approval of the Lieutenant Governor in Council, the Commission has power to acquire by purchase, lease or otherwise and, with or without the consent of the owner, enter upon, take and expropriate and sell or otherwise dispose of any land or any interest in land. <sup>Qualified powers</sup>

(2) Where the Commission desires to expropriate land under the power conferred by subsection 1, it shall, in addition to the requirements of *The Expropriation Procedures Act, 1962-63*, register in the proper registry or land titles office a certified copy of the order in council approving such expropriation. <sup>Expropriation</sup> <sup>1962-63, c. 43</sup>

**5.**—(1) Notwithstanding any general or special Act, the Lieutenant Governor in Council may vest any highway under the jurisdiction and control of the Department of Highways in the Commission, and thereafter the Commission shall have exclusive jurisdiction over it. <sup>Highways</sup>

Idem

(2) The Commission and any municipality may enter into agreement as to the acquisition by the Commission or by the municipality of any highway or any land therefor or as to the establishing, laying out, opening, grading, paving, altering, constructing, reconstructing, maintaining or repairing of any highway, including the cost or the apportionment of the cost of the same and the payment thereof.

Appointment of employees

6. The Commission may appoint such officers, clerks and other employees as may be necessary for the purposes of the Commission and shall fix their salaries, wages or other remuneration.

Determination of capital expenditure

7.—(1) The Commission may from time to time determine what moneys will be required for capital expenditures in connection with the Parks.

Portion to be raised by participating municipalities

(2) The portion of the moneys so required that each participating municipality shall raise shall be determined by the Commission, subject to the approval of at least three of the participating municipalities.

Notice of apportionment

(3) When the Commission has determined the portion that each participating municipality shall raise, it shall cause a notice containing a statement of such apportionment to be sent to the council of each participating municipality by registered mail.

Review of apportionment by O.M.B.

(4) Any participating municipality that is dissatisfied with any such apportionment may, within one month after it receives notice of the apportionment, notify the secretary of the Ontario Municipal Board and the Commission in writing by registered mail that it applies for a review of the apportionment by the Ontario Municipal Board.

Hearing

(5) Upon such application, the Ontario Municipal Board shall fix a date for the hearing of all interested parties and shall give all necessary directions for the hearing.

Powers of O.M.B. on hearing

(6) The Ontario Municipal Board has authority to take evidence, to confirm or vary the apportionment of the Commission and to fix and award costs, and its decision is final and conclusive and is not open to appeal.

How money to be raised

(7) Subject to the approval of the Ontario Municipal Board, each participating municipality shall raise by the issue of debentures or otherwise its portion of the moneys required by the Commission for capital expenditure as apportioned by the Commission or by the Ontario Municipal Board on an appeal.



(8) Where the council of a participating city is of opinion that the major part of the benefit to be derived from a specific work accrues to a limited area of the city, the council may by by-law provide that a specified portion of the moneys required to be raised by the city for capital expenditure in connection with that work shall be raised by a special rate upon the rateable property in that area, which area shall be defined in the by-law, and the balance of such moneys shall be raised by a special rate upon the rateable property in the remaining portion of the city. <sup>Limited benefit in city</sup>

(9) Where the council of a participating county is of opinion that the major part of the benefit to be derived from a specific work accrues to a certain local municipality or local municipalities that form part of the county for municipal purposes, the council may by by-law provide that a specified portion of the moneys required to be raised by the county for capital expenditure in connection with that work shall be raised by a special rate upon the rateable property of such local municipality or municipalities, and the balance of such moneys shall be raised by a special rate upon the rateable property in the remaining local municipalities that form part of the county for municipal purposes. <sup>Limited benefit in county</sup>

8.—(1) The Commission in each year shall prepare and adopt estimates of all sums required during the year for the purposes of the Commission, and such estimates, <sup>Estimates</sup>

- (a) shall set forth the estimated revenues and expenditures of the Commission;
- (b) shall make due allowance for a surplus of the previous year that will be available during the current year;
- (c) shall provide for any deficit of any previous year; and
- (d) may provide for capital expenditures to be made out of current funds.

(2) After the adoption of the estimates, the Commission shall, subject to the approval of at least three of the participating municipalities, determine the proportion of the moneys required for the purposes of the Commission to be raised by each participating municipality. <sup>Apportionment</sup>

(3) The chairman of the Commission shall, on or before the last day of February in each year, give notice in writing to the treasurer of each participating municipality of the amount that such participating municipality shall raise for the Commission. <sup>Notice of amount to be raised by each participating municipality</sup>



Moneys to  
be raised,  
debt to  
Commission

**9.** All moneys required to be raised by a participating municipality under the authority of section 7 or 8 shall be deemed to be taxes and are a debt of the participating municipality to the Commission, and the treasurer of every participating municipality shall pay the moneys so required to be raised to the Commission in equal quarterly payments.

Limit on  
levy

**10.** Notwithstanding sections 7 and 8, no participating municipality shall be required to raise in any year,

- (a) an amount under section 7 that exceeds the proceeds of a rate of one-quarter mill on the dollar of the rateable property of the participating municipality according to the last revised assessment roll as adjusted by the latest equalization factor provided by the Department of Municipal Affairs; and
- (b) an amount under section 8 that exceeds the proceeds of a rate of one-quarter mill on the dollar of the rateable property of the participating municipality according to the last revised assessment roll as adjusted by the latest equalization factor provided by the Department of Municipal Affairs,

unless in that year the council of the participating municipality agrees with the Commission to raise an amount in excess of that provided for in clause *a* or *b*.

Local  
improve-  
ment works

R.S.O. 1960,  
c. 223

**11.** The Commission and any municipality within which any of the Parks are situate or that adjoin or are within three miles of the Parks may enter into agreement as to any work of any of the characters or descriptions mentioned in *The Local Improvement Act*, and the Commission may agree to contribute any sum towards the cost of any work undertaken, either in cash or by annual or other instalments or otherwise.

Assent of  
electors not  
necessary

**12.** Where by this Act any power is conferred or duty imposed upon a municipality or the council of a municipality, including a power or duty to raise money, such power may be exercised and such duty shall be performed by the council of the municipality without the assent of the electors.

Moneys to  
be paid to  
Commission

**13.** All moneys required by this Act to be raised for the purposes of the Commission shall be paid to the Commission, and the Commission may spend such moneys for its purposes.

Grants

**14.** The Minister may make grants to the Commission, which shall be paid, before the 31st day of March, 1967, out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature.

**15.** The Commission shall cause books to be kept and true and regular accounts to be entered therein of all moneys received and paid and of the several purposes for which the same were received and paid, and such books shall be open to the inspection of any member of the Commission, the Treasurer of Ontario or any person appointed by the Commission or Treasurer for that purpose, or any person designated by a participating municipality for that purpose, and any such person may make copies of or take extracts from the books.

Books of  
account

**16.** Every person who is entrusted by the Commission with the custody or control of money in the course of his employment shall give security in the manner and form provided by *The Public Officers Act*.

Security by  
officers

R.S.O. 1960,  
c. 326

**17.** The accounts and financial transactions of the Commission shall be audited annually by the Provincial Auditor or such other auditor as the Lieutenant Governor in Council designates.

Audit

**18.** The Commission shall make a report annually to the Minister and to each of the participating municipalities, containing such information as the Minister may require.

Annual  
report

**19.—(1)** The Commission, with the approval of the Lieutenant Governor in Council, may make regulations,

Regulations

- (a) regulating and governing the use by the public of the Parks and the works, vehicles, boats, services and things under the jurisdiction of the Commission;
- (b) providing for the protection and preservation from damage of the property of the Commission;
- (c) prescribing tolls for the occupation and use of the Parks and the works, vehicles, boats and recreational facilities and services under the jurisdiction of the Commission and for entrance to places of historic and scenic interest or any other occupation or use of a similar nature;
- (d) prescribing permits designating privileges in connection with the use of the Parks or any part thereof, and prescribing fees for such permits;
- (e) regulating and governing vehicular and pedestrian traffic in the Parks or any part thereof, and prohibiting the use of any class or classes of vehicles in the Parks or any part thereof;

(f)

- (f) prohibiting or regulating and governing the erection, posting up or other display of notices, signs, sign boards and other advertising devices in the Parks or within one-quarter mile of any part thereof;
- (g) prescribing terms and conditions under which horses, dogs and other animals may be allowed in the Parks or any part thereof;
- (h) for imposing fines not exceeding \$300 for any breach of any regulation;
- (i) for such other purposes and objects as are deemed necessary for the carrying out of this Act.

## Offences

(2) An offence against any regulation made under this Act is punishable under *The Summary Convictions Act*, and the fine for any such offence is payable to the Treasurer of Ontario.

R.S.O. 1960,  
c. 387

**20.** *The Corporations Act* does not apply to the Commission.

## Current borrowings

**21.** After the Commission has adopted its estimates in any year, it may borrow from time to time by way of promissory note such sums as it may deem necessary to meet, until its revenues are received, the current expenditures of the Commission for the year, but the amount that may be borrowed at any one time, together with the total of any similar borrowings that have not been repaid, shall not exceed 70 per cent of the unreceived balance of the estimated revenues of the Commission as set forth in its estimates adopted for the year.

## Lost property

**22.**—(1) Any lost, mislaid or abandoned property coming into the custody of the Commission or any employee of the Commission in charge of part of the Parks and not claimed by the owner within three months is the property of the Commission and may be sold under the direction of the Commission, but, where any such property is perishable or has no commercial value, it may be given to a charitable institution or destroyed.

## Idem

(2) Where a person establishes to the satisfaction of the Commission within one year of the date of the sale that he was the owner of property sold under subsection 1, the Commission may direct the payment to such person of an amount equal to the price received for the property less the cost of the sale and other expenses incurred in connection with the property.

## Commencement

**23.** This Act comes into force on the day it receives Royal Assent.

## Short title

**24.** This Act may be cited as *The St. Clair Parkway Commission Act, 1966*.

## CHAPTER 147

**An Act to amend  
The St. Lawrence Parks Commission Act**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The St. Lawrence Parks Commission Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 279,  
amended

15a.—(1) Any lost, mislaid or abandoned property coming into the custody of an officer or employee of the Commission and not claimed by the owner within three months is the property of the Crown in right of Ontario and may be sold under the direction of the Minister, but, where any such property is perishable or has no commercial value, it may be given to a charitable institution or destroyed. Lost,  
mislaid or  
abandoned  
property

(2) Where a person establishes to the satisfaction of the Minister within one year of the date of sale that he was the owner of property sold under subsection 1, the Minister may direct the payment to such person of an amount equal to the price received for the property less the costs referable to the sale and other expenses incurred in connection with the property. Idem

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The St. Lawrence Parks Commission Amendment Act, 1966*. Short title





## CHAPTER 148

## An Act to amend The Succession Duty Act

*Assented to March 29th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *b* of subsection 8 of section 7 of *The Succession Duty Act* is amended, R.S.O. 1960,  
c. 386, s. 7,  
subs. 8,  
cl. b,  
amended

- (a) by striking out "\$60,000" in the second line of subclause i and inserting in lieu thereof "\$75,000";
- (b) by striking out "\$60,000 and \$10,000" in the third line of subclause ii and inserting in lieu thereof "\$75,000 and \$15,000";
- (c) by striking out "\$70,000" in the second line of subclause iii and inserting in lieu thereof "\$90,000";
- (d) by striking out "\$60,000 and \$10,000" in the third and fourth lines of subclause iv and inserting in lieu thereof "\$75,000 and \$15,000"; and
- (e) by striking out "15,000" in the fourth line of subclause v and inserting in lieu thereof "25,000".

(2) Clause *d* of subsection 8 of the said section 7 is amended, R.S.O. 1960,  
c. 386, s. 7,  
subs. 8,  
cl. d,  
amended

- (a) by striking out "\$60,000" in the first line of subclause i and inserting in lieu thereof "\$75,000";
- (b) by striking out "\$60,000" in the third line of subclause ii and inserting in lieu thereof "\$75,000";
- (c) by striking out "\$10,000" in the third line of subclause iii and inserting in lieu thereof "\$15,000"; and
- (d) by striking out "\$15,000" in the third line of subclause iv and inserting in lieu thereof "\$25,000".

Commence-  
ment

**2.** This Act comes into force on the 1st day of April, 1966.

Short title

**3.** This Act may be cited as *The Succession Duty Amend-  
ment Act, 1966*.

## CHAPTER 149

## An Act to amend The Summary Convictions Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 5 of section 6 of *The Summary Convictions Act* is amended by striking out "and" where it occurs the second time in the fourth line and by inserting after "143" in the fourth line "and sections 143a and 144", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 387, s. 6,  
subs. 5,  
amended

(5) Every summons issued for a contravention of any provision of *The Highway Traffic Act*, except subsections 1 and 2 of section 7, subsection 1 of section 9, subsections 2 and 3 of section 25, sections 32 and 49, subsection 1 of section 143 and sections 143a and 144, shall be served by sending it by prepaid post or by personal service within twenty-one days of the alleged contravention.

Time for  
service for  
offences  
under  
R.S.O. 1960,  
c. 172

**2.** Subsection 1 of section 15 of *The Summary Convictions Act* is amended by striking out "by recognizance conditioned for his appearance within two days" in the sixth and seventh lines and inserting in lieu thereof "conditioned for his appearance in person or by counsel or agent", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 387, s. 15,  
subs. 1,  
amended

(1) Where a person who is charged with an offence to which this Act applies is taken into custody either with or without the warrant of a justice and is brought into a police station at any time during the day or night, the police officer in charge of the station, if he thinks the case a proper one, may take bail without fee from such person conditioned for his appearance in person or by counsel or agent before the magistrate or other justice at the time and place therein mentioned.

When  
officers in  
charge of  
police  
station  
may take  
bail

R.S.O. 1960,  
c. 387,  
amended

**3.** *The Summary Convictions Act* is amended by adding thereto the following section:

Appoint-  
ment of  
agent for  
appearance

15a.—(1) A person who is admitted to bail under subsection 1 of section 15 and deposits a sum of money may appoint the clerk of a magistrate or other justice to act as his agent, in the event that he does not appear to answer to the charge, for the purpose of entering a plea of guilty on his behalf and authorizing the clerk to pay out of the moneys so deposited the amount of the fine and costs imposed by the magistrate or other justice upon the conviction, and the clerk shall act as agent under this subsection without fee.

Disposition  
of surplus

(2) Where any moneys so deposited remain after payment of the fine and costs, the magistrate or other justice shall cause the surplus to be returned by registered mail to the person convicted, less the expense of so doing.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Summary Convictions Amendment Act, 1966*.

CHAPTER 150

An Act to incorporate Sunnybrook Hospital

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-  
tation

- (a) "Board" means the board of trustees of Sunnybrook Hospital;
- (b) "Governors" means The Governors of the University of Toronto;
- (c) "Hospital" means the hospital in The Municipality of Metropolitan Toronto known as Sunnybrook Hospital.

2.—(1) The management, maintenance and operation of the Hospital are hereby continued in a corporation consisting of the trustees of the Board who hold office from time to time, which is hereby created under the name "Sunnybrook Hospital".

Corporation  
established

(2) Sunnybrook Hospital shall operate the Hospital as a university teaching hospital in which all members of the medical staff shall also be members of a university faculty of medicine and in which instruction in fields of medicine and medical research will be carried out.

Hospital  
to be con-  
tinued as a  
university  
teaching  
hospital

3.—(1) Notwithstanding *The Public Hospitals Act*, there shall be a board of trustees of Sunnybrook Hospital constituted as follows:

Board  
R.S.O. 1960,  
c. 322

- (a) the Chairman of the Governors and the President of the University of Toronto, the President of the medical staff, the Vice-President of the medical staff, and the Chairman of the Medical Advisory Committee, of the Hospital;

(b)



(b) six trustees appointed by the Lieutenant Governor in Council;

(c) two trustees, members of the staff of the Faculty of Medicine of the University of Toronto, appointed by the Governors; and

(d) ten trustees appointed by the Governors.

Time of first appointments (2) The first appointments of trustees under subsection 1 shall be made within one month after the day this Act comes into force.

Term of office (3) The trustees shall hold office for three years and until their successors are appointed.

Eligibility for re-appointment (4) Trustees are eligible for re-appointment.

Termination of office (5) If a trustee becomes mentally ill or otherwise incapable of acting, he shall *ipso facto* vacate his office, and it is the duty of the Board, by resolution, to declare his membership vacant.

Idem (6) If, within any calendar year, a member of the Board, not having been granted leave of absence by the Board, attends less than 40 per cent of the meetings of the Board, the Board may, by resolution, declare his membership vacant.

Idem (7) If, within any calendar year, a member of the Board, not having been granted leave of absence by the Board, attends less than 20 per cent of the meetings of the Board, he shall *ipso facto* vacate his office, and it is the duty of the Board, by resolution, to declare his membership vacant.

Evidence of vacancy (8) A resolution passed under subsection 5, 6 or 7, entered upon the minutes of the Board, is conclusive evidence of the vacancy therein declared.

Filling of vacancies (9) When a vacancy occurs in the office of an appointed trustee, it shall be filled by the appointment of a person by the body that appointed the trustee whose office is vacant, and the person so appointed shall hold office for the remainder of the term of his predecessor.

Quorum (10) Except as otherwise provided by the Board, eleven members constitute a quorum at meetings of the Board.

Chairman 4. One of the trustees, who shall also be a member of the Governors, shall be appointed by the Governors to be Chairman of the Board.

5. The Board may appoint one of its members to be Vice-Chairman, and, in the case of the absence or illness of the Chairman or of there being a vacancy in the office of Chairman, the Vice-Chairman shall act as and have all the powers of the Chairman.

Vice-Chairman

6.—(1) Subject to *The Public Hospitals Act* and any regulations made thereunder and to *The Hospital Services Commission Act* and any regulations made thereunder, the Board shall be responsible for the management, operation and maintenance of the Hospital as a university teaching hospital in which all members of the medical staff shall also be members of a university faculty of medicine and in which instruction in fields of medicine and medical research will be carried out, and, save as hereinafter provided, may have and exercise all powers incidental thereto, and, without limiting the generality of the foregoing, may enact by-laws and regulations,

Powers of the Board  
R.S.O. 1960,  
cc. 322, 176

(a) for the management, operation and maintenance of the Hospital;

(b) pertaining to the calling and holding of meetings of the Board and to the business transacted thereat;

(c) providing for the appointment of committees, including an executive committee and a medical advisory committee, and for the conferring upon any of such committees of authority to act for the Board with respect to any matter, or class or classes of matters.

(2) A majority of the members of every committee, except the medical advisory committee, shall be members of the Board.

Committees,  
composition

(3) No decision of a committee, which includes in its membership persons who are not members of the Board, shall be valid or effective until approved and ratified by the Board.

Decisions

7. The Board may enter into agreements with the University of Toronto and, subject to the approval of the Governors, with other universities or entities providing for the care of the sick and for teaching and research facilities at the Hospital.

Agreements  
with  
universities

8. The Board or the Governors, or the Board and the Governors together, may from time to time enter into such agreements with the Department of Veterans Affairs or Her Majesty the Queen in right of Canada, relating to the care of veterans or other matters connected with the operation of the Hospital as they may consider desirable.

Agreements  
with Depart-  
ment of  
Veterans  
Affairs

Employees  
transferred  
from the  
public  
service of  
Canada

9. The Board may enter into agreements to establish and provide, for any person transferred from the employ of the public service of Canada on the staff of the Hospital to the employ of Sunnybrook Hospital on the staff of the Hospital, a pension plan providing for the continuation of benefits the same as or equivalent to those enjoyed at the time of such transfer in the public service of Canada and may pay the employer's share of the cost of such plan.

Real  
property  
R.S.O. 1960,  
c. 322

10.—(1) Subject to *The Public Hospitals Act* and to any regulations made thereunder, the Board may acquire by grant, gift, devise or otherwise and may hold any land or interest therein without licence in mortmain.

Exemption  
from expro-  
priation

(2) No real property or interest therein vested in Sunnybrook Hospital and used for hospital purposes shall be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking land compulsorily for any purpose whatsoever, and no power to expropriate real property hereafter conferred shall extend to such real property or interest unless in the Act conferring the power it is made in express terms to apply to such real property or interest.

Exemption  
from  
taxation

(3) The real and personal property vested in Sunnybrook Hospital and any lands and premises leased to or occupied by Sunnybrook Hospital shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation so long as the same are actually used and occupied for the purposes of Sunnybrook Hospital.

Power to  
borrow

11.—(1) Subject to the approval of the Lieutenant Governor in Council and of the Governors, the Board may from time to time borrow or raise by way of loan such sums of money as the Board may deem requisite for any of the purposes of Sunnybrook Hospital in any one or more, or partly in one and partly in another, of the following ways:

- (a) by the issue and sale of debentures, bills or notes of Sunnybrook Hospital in such form or forms, in such denomination or denominations, bearing interest at such rate or rates and payable in principal and interest at such time or times, in such currency or currencies and at such place or places as the Board may determine; and
- (b) by temporary loans from any chartered bank or banks or from any person either by way of bank overdraft or loan or in any other manner whatsoever as the Board may determine.

(2) A recital or declaration in any resolution or minute of the Board authorizing the issue and sale of debentures, bills or notes of Sunnybrook Hospital, to the effect that it is necessary to issue and sell such debentures, bills or notes for the purposes of Sunnybrook Hospital in the amount authorized, is conclusive evidence to that effect. <sup>Author-  
ization</sup>

**12.** The Board shall make a report to the Governors upon the affairs of Sunnybrook Hospital in such form as the Governors may require for each fiscal year of Sunnybrook Hospital within three months after the end of that fiscal year or for such other periods and within such other time or times as the Governors may require. <sup>Annual  
report</sup>

**13.** The accounts of the Board shall be audited annually by an auditor appointed by the Board, and all books, documents, transactions and accounts of the Board shall at all times be open for inspection by the Governors. <sup>Audit</sup>

**14.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commence-  
ment</sup>

**15.** This Act may be cited as *The Sunnybrook Hospital Act, 1966*. <sup>Short title</sup>





## CHAPTER 151

**An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal years ending the 31st day of March, 1966, and the 31st day of March, 1967**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by messages from the Honourable William Earl Rowe, Lieutenant Governor of the Province of Ontario, and the estimates accompanying the same, that the sums mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the fiscal year ending the 31st day of March, 1966, and for the fiscal year ending the 31st day of March, 1967, and for other purposes connected with the public service; may it therefore please Your Majesty that it be enacted and it is hereby enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

**1.** In addition to the sum of \$1,453,020,000 granted by *The Supply Act, 1965*, there may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$5,436,600 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1965, to the 31st day of March, 1966, as set forth in Schedule A to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the supplementary estimates upon which such schedule is based.

\$5,436,600  
granted for  
fiscal year  
1965-66  
1965, c. 128

**2.** There may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$1,840,626,500 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1966, to the 31st day of March, 1967, as set forth in Schedule B to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which such schedule is based.

\$1,840,626,500  
granted for  
fiscal year  
1966-67

Accounting  
for  
expenditure      **3.** The due application of all moneys expended under this Act shall be accounted for to Her Majesty.

Commence-  
ment      **4.** This Act comes into force on the day it receives Royal Assent.

Short title      **5.** This Act may be cited as *The Supply Act, 1966*.

SCHEDULE A

Department of Energy and Resources Management.....	\$ 861,600
Department of Health.....	4,575,000
	<hr/>
	\$ 5,436,600
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SCHEDULE B

Department of Agriculture.....	\$ 28,316,000
Department of Attorney General.....	45,912,000
Department of Civil Service.....	1,451,000
Department of Economics and Development..	21,403,000
Department of Education.....	568,540,000
Department of Energy and Resources Management.....	63,092,000
Department of Health.....	262,270,000
Department of Highways.....	373,241,000
Department of Labour.....	17,976,000
Department of Lands and Forests.....	40,757,000
Office of the Lieutenant Governor.....	33,000
Department of Mines.....	3,530,000
Department of Municipal Affairs.....	63,375,000
Department of the Prime Minister.....	256,000
Office of the Provincial Auditor.....	623,000
Department of the Provincial Secretary and Citizenship.....	5,498,500
Department of Public Welfare.....	120,324,000
Department of Public Works.....	56,817,000
Department of Reform Institutions.....	24,557,000
Department of Tourism and Information....	8,423,000
Department of Transport.....	9,625,000
Treasury Department.....	21,824,000
Department of University Affairs.....	102,783,000
	<hr/>
	\$1,840,626,500
	<hr/>



## CHAPTER 152

## An Act to amend The Teachers' Superannuation Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *The Teachers' Superannuation Act* is <sup>R.S.O. 1960,</sup> amended by relettering clause *a* as clause *aa* and by adding <sup>c. 392, s. 1,</sup> thereto the following clause: amended

(a) "actuary" means a Fellow of the Canadian Institute of Actuaries.

(2) Clause *d* of the said section 1 is amended by adding <sup>R.S.O. 1960,</sup> thereto the following subclause: <sup>c. 392, s. 1,</sup> <sup>cl. *d*,</sup> amended

(iva) as a teacher by a minister of a department of the Government of Ontario.

(3) Subclause *v* of clause *d* of the said section 1, as re-enacted <sup>R.S.O. 1960,</sup> by section 1 of *The Teachers' Superannuation Amendment Act,* <sup>c. 392, s. 1,</sup> <sup>cl. *d*,</sup> <sup>subcl. *v*</sup> <sup>(1964, c. 115,</sup> <sup>s. 1),</sup> <sup>re-enacted</sup> 1964, is repealed and the following substituted therefor:

(v) as a teacher in a college of education, Elliot Lake Centre for Continuing Education, Moosonee Education Centre, the Institute of Child Study, Retarded Children's Education Authority, The Ontario Institute for Studies in Education, the University of Toronto Schools, the Ontario College of Art, the Royal Ontario Museum, Lakehead University, Ryerson Polytechnical Institute, St. Mary's Training School for Girls, Toronto, St. John's Training School for Boys, Uxbridge, St. Joseph's Training School for Boys, Alfred, or in the civil service as defined in *The Public Service Act, 1961-62.*

1961-62,  
c. 121

(4) Subclause *vi* of clause *d* of the said section 1 is repealed <sup>R.S.O. 1960,</sup> and the following substituted therefor: <sup>c. 392, s. 1,</sup> <sup>cl. *d*,</sup> <sup>subcl. *vi*,</sup> <sup>re-enacted</sup>



- (vi) as an inspector or in a supervisory capacity by a board, or as an inspector or in a supervisory capacity in the Department.

R.S.O. 1960,  
c. 392, s. 1,  
cl. d,  
amended

- (5) Clause *d* of the said section 1 is further amended by adding thereto the following subclause:

- (ixa) by any organization and in any capacity designated by the regulations.

R.S.O. 1960,  
c. 392, s. 1,  
cl. d,  
subcl. xii,  
amended

- (6) Subclause xii of clause *d* of the said section 1 is amended by striking out "to the Public Service Retirement Fund or" in the first and second lines.

R.S.O. 1960,  
c. 392, s. 2,  
subs. 4,  
re-enacted

- 2.** Subsection 4 of section 2 of *The Teachers' Superannuation Act* is repealed and the following substituted therefor:

Vacancies

- (4) When a vacancy occurs among the members, another member shall be appointed by the Minister or by the governing body of the teachers' organization concerned, as the case may be, so soon as is practicable after the vacancy occurs, and the person so appointed shall hold office for the unexpired portion of the term of the member he replaces.

R.S.O. 1960,  
c. 392, s. 4,  
re-enacted

- 3.** Section 4 of *The Teachers' Superannuation Act* is repealed and the following substituted therefor:

Officers,  
staff, etc.

- 4.—(1)** Subject to the approval of the Lieutenant Governor in Council, the Commission may,

- (a) establish job classifications, salary ranges and the terms and conditions of employment for its employees; and

- (b) appoint a director, an actuary, a solicitor, a medical referee and such other employees as are deemed proper.

Salaries

- (2) The employees of the Commission shall be paid out of the Fund.

R.S.O. 1960,  
c. 332,  
applicable

- (3) *The Public Service Superannuation Act* applies to the permanent employees of the Commission as though the Commission had been designated by the Lieutenant Governor in Council under section 27 of that Act.

R.S.O. 1960,  
c. 392, s. 5,  
subs. 3,  
amended

- 4.** Subsection 3 of section 5 of *The Teachers' Superannuation Act* is amended by striking out "1958" in the second line and inserting in lieu thereof "1966", so that the subsection shall read as follows:

- (3) The actuary of the Commission shall make an actuarial valuation of the Fund as of the 31st day of December, 1966, and as of the 31st day of December of each third year thereafter, but the Minister may direct him to make additional actuarial valuations of the Fund at any time. Actuarial valuations

5. Clause *a* of section 11 of *The Teachers' Superannuation Act* is amended by striking out "4 $\frac{3}{4}$  per cent" in the second line and inserting in lieu thereof "5 per cent". R.S.O. 1960,  
c. 392, s. 11,  
cl. *a*,  
amended

6. Clause *c* of subsection 1 of section 15 of *The Teachers' Superannuation Act*, as re-enacted by section 1 of *The Teachers' Superannuation Amendment Act, 1961-62*, is amended by striking out "secretary" and inserting in lieu thereof "director", so that the clause shall read as follows: R.S.O. 1960,  
c. 392, s. 15,  
subs. 1  
(1961-62,  
c. 137, s. 1),  
cl. *c*,  
amended

(*c*) the director of the Commission.

7. *The Teachers' Superannuation Act* is amended by adding thereto the following sections: R.S.O. 1960,  
c. 392,  
amended

17*a*. Every person,

- (*a*) who was a contributor to the University of Toronto Pension Fund;
- (*b*) who has transferred or transfers to the Fund;
- (*c*) who has credit in the Fund for a period of ten or more years of service; and
- (*d*) who had or has credit in the University of Toronto Pension Fund for a period which, if that period and the period mentioned in clause *c* had both been served under this Act, would have entitled him to a superannuation allowance under this Act,

Special  
U. of T.  
group

is entitled to a superannuation allowance calculated on the basis of his average salary for the seven years during which his salary was highest and for which he contributed to the Fund and bearing the same ratio to the allowance to which he would have been entitled if he had contributed to the Fund for the period for which he contributed to the University of Toronto Pension Fund as the number of his years of contribution to the Fund bears to the number, not exceeding thirty-five, of his years of contribution to the Fund and the University of Toronto Pension Fund.

O.C.E. staff,  
election as  
to fund

17b.—(1) Every person who joins the staff of a college of education on or after the day this section comes into force and who is eligible to contribute to the Fund shall, within three months after joining such staff, by notice in writing to the Commission and to the university of which the college is a part, elect to contribute to the Fund or to the pension fund of the university.

O.I.S.E.  
staff,  
election as  
to fund

(2) Every person now or hereafter on the staff of The Ontario Institute for Studies in Education who is eligible to contribute to the Fund shall, within three months after this section comes into force or within three months after joining such staff, whichever is the later, by notice in writing to the Commission and to the Institute, elect to contribute to the Fund or to the pension fund of the Institute.

Lakehead  
University  
1965, c. 54

(3) Notwithstanding section 18 of *The Lakehead University Act, 1965*, every person now or hereafter on the staff of Lakehead University on the 1st day of July, 1965, who is eligible to contribute to the Fund shall, within three months after this section comes into force, by notice in writing to the Commission and to the University, elect to contribute to the Fund or to the pension fund of the University.

No other  
election

(4) A person to whom subsection 1, 2 or 3 applies shall not have any other right of election and, if he fails to exercise his right of election thereunder, he shall be deemed to have elected to contribute to the Fund.

R.S.O. 1960,  
c. 392, s. 18,  
amended

8. Section 18 of *The Teachers' Superannuation Act* is amended by adding thereto the following subsection:

Additional  
contribution  
for extra  
services

1964-65,  
c. 51 (Can.)

(5) Every person who contributes to the Fund and to the Canada Pension Plan and who receives a salary of an amount less than the year's maximum pensionable earnings as prescribed by the *Canada Pension Plan* shall contribute to the Fund 1.8 per cent of the amount of any remuneration for extra services so long as the total of his salary and remuneration for extra services does not exceed the year's maximum pensionable earnings as prescribed by the *Canada Pension Plan*.

R.S.O. 1960,  
c. 392, s. 23,  
amended

9. Section 23 of *The Teachers' Superannuation Act* is amended by adding "and" at the end of clause *a* and by striking out clause *b*.

**10.** *The Teachers' Superannuation Act* is amended by adding thereto the following section: R.S.O. 1960, c. 392, amended

24a. The Commission shall pay out of the Fund to the Canada Pension Plan sums equal to the amounts due under the *Canada Pension Plan* in respect of contributors to the Fund. Payments to Canada Pension Plan 1964-65, c. 51 (Can.)

**11.**—(1) Clause *a* of subsection 1 of section 25 of *The Teachers' Superannuation Act* is amended by striking out "school years" in the first and second lines and inserting in lieu thereof "years of service", so that the clause shall read as follows: R.S.O. 1960, c. 392, s. 25, subs. 1, cl. a, amended

(a) has credit in the Fund for thirty-five or more years of service.

(2) Subsection 2 of the said section 25 is repealed and the following substituted therefor: R.S.O. 1960, c. 392, s. 25, subs. 2, re-enacted

(2) The amount of such allowance shall be computed by multiplying an amount equal to 2 per cent of his average salary for the seven years during which his salary was highest by the number of years, not exceeding thirty-five, for which he has credit in the Fund, reduced by an amount equal to 0.7 per cent of such average salary for each year of credit in the Fund after the year 1965, but such reduction shall not be computed upon the amount, if any, that such average salary exceeds the year's maximum pensionable earnings under the *Canada Pension Plan* established at the time he ceased to be employed. Amount 1964-65, c. 51 (Can.)

(2a) Where the person ceased to be employed before attaining the age at which he could become eligible for a benefit under the *Canada Pension Plan*, the reduction mentioned in subsection 2 does not apply until the first day of the month following the month in which he attains such age. Idem

(2b) Where the person ceased to be employed before the year 1967, the reduction mentioned in subsection 2 does not apply. Idem

(2c) Where the person did not contribute to the Canada Pension Plan, the reduction mentioned in subsection 2 does not apply. Idem

(3) Subsection 4 of the said section 25 is repealed.

R.S.O. 1960, c. 392, s. 25, subs. 4, repealed



R.S.O. 1960,  
c. 392, s. 26,  
subs. 1,  
cl. a,  
amended

**12.**—(1) Clause *a* of subsection 1 of section 26 of *The Teachers' Superannuation Act* is amended by striking out "school years" in the first and second lines and inserting in lieu thereof "years of service", so that the clause shall read as follows:

(a) has credit in the Fund for forty or more years of service; and

. . . . .

R.S.O. 1960,  
c. 392, s. 26,  
subs. 2,  
amended

(2) Subsection 2 of the said section 26 is amended by striking out "subsection 2 of" in the second line and by striking out "but no such allowance shall be less than \$600" in the second and third lines, so that the subsection shall read as follows:

Amount

(2) The amount of such allowance shall be computed in the manner prescribed by section 25.

R.S.O. 1960,  
c. 392, s. 27,  
subs. 1,  
cl. a,  
amended

**13.**—(1) Clause *a* of subsection 1 of section 27 of *The Teachers' Superannuation Act* is amended by striking out "school years" in the first line and inserting in lieu thereof "years of service", so that the clause shall read as follows:

(a) has credit in the Fund for thirty or more years of service; and

. . . . .

R.S.O. 1960,  
c. 392, s. 27,  
subs. 2,  
re-enacted

(2) Subsection 2 of the said section 27 is repealed and the following substituted therefor:

Amount

(2) The amount of such allowance shall be computed in the manner prescribed by subsections 2, *2b* and *2c* of section 25, but shall be further reduced or reduced, as the case may be,

(a) in the case of a person who has attained the age of sixty-one years but has not attained the age of sixty-five years at the beginning of the month following the month during which he ceased to be employed, by 5 per cent; or

(b) in the case of a person who has not attained the age of sixty-one years at the beginning of the month following the month during which he ceased to be employed, at the rate of 5 per cent in respect of each year by which he is less than sixty-two years of age at the beginning of the month in which his pension is to commence.

Commence-  
ment

(3) Notwithstanding section 39, where a person ceased to be employed before attaining the age of fifty-five years, an allowance under this section shall commence



on the first day of the month following the month in which the person entitled thereto attains the age of fifty-five years.

**14.**—(1) Subsections 1, 2 and 3 of section 28 of *The Teachers' Superannuation Act*, as re-enacted by section 3 of *The Teachers' Superannuation Amendment Act, 1964*, are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 392, s. 28,  
(1964, c. 115,  
s. 3),  
subs. 1, 2,  
re-enacted;  
subs. 3,  
repealed

(1) Every person who,

Deferred  
pension

(a) has credit in the Fund for ten or more years of service;

(b) has ceased to be employed after the calendar year in which he attained forty-four years of age; and

(c) is not otherwise entitled to an allowance under this Act,

is entitled to an annual superannuation allowance during his lifetime.

(2) The amount of such allowance shall be computed in the manner prescribed by subsections 2, 2b and 2c of section 25.

Amount  
R.S.O. 1960,  
c. 392, s. 28  
(1964, c. 115,  
s. 3),  
subs. 5,  
re-enacted

(2) Subsection 5 of the said section 28 is repealed and the following substituted therefor:

(5) Notwithstanding subsection 4, a person entitled to an allowance under this section may elect to have the allowance commence on the first day of any month after he has attained the age of fifty-five years so long as he is not employed at that time, and in such case the amount of the allowance shall be further reduced or reduced, as the case may be, at the rate of 5 per cent in respect of each year by which his age is less than sixty-five years at the time his allowance commences.

Idem

**15.** *The Teachers' Superannuation Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 392,  
amended

28a.—(1) Every person who,

Deferred  
pension  
option

(a) has credit in the Fund for ten or more years of service;

(b) has ceased to be employed before the calendar year in which he attained forty-five years of age; and

(c)

(c) is not otherwise entitled to an allowance under this Act,

is entitled either to an annual superannuation allowance during his lifetime or to a refund of his contributions under subsection 1 of section 48.

*Idem*

(2) Where a person elects to take an allowance under subsection 1, subsections 2, 4, 5 and 6 of section 28 apply *mutatis mutandis*.

R.S.O. 1960,  
c. 392, s. 29,  
subs. 1,  
cl. a,  
amended

**16.**—(1) Clause *a* of subsection 1 of section 29 of *The Teachers' Superannuation Act* is amended by striking out "fifteen or more school years" and inserting in lieu thereof "ten or more years of service", so that the clause shall read as follows:

(a) has credit in the Fund for ten or more years of service.

R.S.O. 1960,  
c. 392, s. 29,  
subs. 2,  
re-enacted

(2) Subsection 2 of the said section 29 is repealed and the following substituted therefor:

*Amount*

(2) The amount of such allowance shall be computed in the manner prescribed by subsections 2 and 2*c* of section 25, but the reduction prescribed by subsection 2 of section 25 does not apply to a teacher whose allowance commences before the 1st day of January, 1971.

R.S.O. 1960,  
c. 392, s. 30,  
subs. 1,  
cl. a,  
amended

**17.**—(1) Clause *a* of subsection 1 of section 30 of *The Teachers' Superannuation Act* is amended by striking out "fifteen or more school years" in the first and second lines and inserting in lieu thereof "ten or more years of service", so that the clause shall read as follows:

(a) has credit in the Fund for ten or more years of service.

R.S.O. 1960,  
c. 392, s. 30,  
subs. 2,  
re-enacted

(2) Subsection 2 of the said section 30 is repealed and the following substituted therefor:

*Amount*

(2) The amount of such allowance shall be computed in the manner prescribed by subsections 2 and 2*c* of section 25, but the reduction prescribed by subsection 2 of section 25 does not apply to a teacher whose allowance commences before the 1st day of January, 1971.

- (3) The amount of the allowance computed under subsection 2 shall be further reduced or reduced, as the case may be, at the rate of  $2\frac{1}{2}$  per cent in respect of each year by which the age of the person is less than sixty-five at the beginning of the month next following the month in which he ceased to be employed, but the reductions shall not exceed 25 per cent in aggregate. Reduction

**18.** Section 31 of *The Teachers' Superannuation Act*, as amended by section 3 of *The Teachers' Superannuation Amendment Act, 1962-63* and section 6 of *The Teachers' Superannuation Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 392, s. 31,  
re-enacted

- 31.—(1) The amount of the superannuation allowance or disability allowance of every person who was employed before the 1st day of January, 1966, shall be increased by the excess, if any, of, Guarantee

- (a) the amount of the allowance that would have been payable to him calculated under *The Teachers' Superannuation Act* as it was on the 31st day of December, 1965,

over,

- (b) the amount of the allowance payable to him calculated under *The Teachers' Superannuation Act* as it was on the 1st day of January, 1966, together with the amount that he was entitled to receive under the *Canada Pension Plan* at the time he was first eligible to receive a benefit under that Plan. 1964-65,  
c. 51 (Can.)

- (2) Nothing in subsection 1 entitles a person to an allowance under section 27 before attaining the age of fifty-five years. Idem

**19.**—(1) Subsection 1, as amended by section 7 of *The Teachers' Superannuation Amendment Act, 1964*, and subsections 2 and 3 of section 32 of *The Teachers' Superannuation Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 392, s. 32,  
subss. 1-3,  
re-enacted

- (1) Where a male person who has credit in the Fund for ten or more years dies while employed or within two years after ceasing to be employed on account of ill-health, or within one year after ceasing to be employed for any reason other than ill-health during Dependant's  
allowance,  
"D" pension

which

which year he manifested to the satisfaction of the Commission a *bona fide* intention of becoming employed as soon as possible, or where a male person who is in receipt of an allowance dies,

- (a) leaving a widow, a dependant's allowance of an amount equal to,
  - (i) one-half of the allowance computed in the manner prescribed in subsections 2 and 2c of section 25, but based on the person's credit in the Fund at the time of his death, or
  - (ii) one-half of the allowance that the person was receiving at the date of his death, with the exception that, in the case of a person who was receiving an allowance under section 25 or 26 and had not attained the age of sixty-five years at the date of death, the allowance shall be one-half of the allowance that the person would have received at the beginning of the month following the month in which he attained the age of sixty-five years,

as the case may be, shall be paid to his widow during her lifetime or during her widowhood, and, where the widow dies or marries leaving a child or children who at the date of her death or marriage is or are under the age of eighteen years, a dependant's allowance of an amount equal to that paid to the widow shall be paid to the child or children until such age is attained; or

- (b) leaving no widow but leaving a child or children under the age of eighteen years, a dependant's allowance of an amount equal to,
  - (i) one-half of the allowance computed in the manner prescribed in subsections 2 and 2c of section 25, but based on the person's credit in the Fund at the time of his death, or
  - (ii) one-half of the allowance that the person was receiving at the date of his death, with the exception that, in the



case of a person who was receiving an allowance under section 25 or 26 and had not attained the age of sixty-five years at the date of death, the allowance shall be one-half of the allowance that the person would have received at the beginning of the month following the month in which he attained the age of sixty-five years,

as the case may be, shall be paid to such child or children until such age is attained.

- (2) Subsection 1 does not apply to the widow of a person Exceptions if she married him after the date of his retirement or to the children of any such widow.

- (3) Where the widow was at least ten years younger than her deceased husband, the payments under subsection 1 shall be reduced at the rate of  $2\frac{1}{2}$  per cent for each year that the widow was more than ten years younger than her husband. Where dependant's allowance to be reduced

- (2) Subsection 7 of the said section 32 is repealed.

R.S.O. 1960,  
c. 392, s. 32,  
subs. 7,  
repealed

**20.** Section 32a of *The Teachers' Superannuation Act*, as enacted by section 8 of *The Teachers' Superannuation Amendment Act, 1964*, is repealed. R.S.O. 1960,  
c. 392, s. 32a  
(1964, c. 115,  
s. 8),  
repealed

**21.** Subsection 1 of section 34 of *The Teachers' Superannuation Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 392, s. 34,  
subs. 1,  
re-enacted

- (1) A person who has no one to whom section 32 can apply may, by a direction in writing signed by him and deposited with the Commission at least two years before he ceases to be employed, direct that the allowance to which he would be entitled be converted and paid as an annuity to him upon his retirement for his lifetime and, after his death, at one-half the rate to any dependant named in the direction. Annuity in lieu of dependant's allowance

- (1a) The amount of such annuity shall be the percentage Amount indicated in the following tables of the amount of the allowance that would have been payable had no direction been given:



1. Where the dependant is younger than the person by the number of years indicated in the first column:

0 years.....	83.9%
1 " .....	82.9%
2 " .....	81.9%
3 " .....	80.9%
4 " .....	79.9%
5 " .....	78.9%
6 " .....	78.0%
7 " .....	77.1%
8 " .....	76.2%
9 " .....	75.3%
10 " .....	74.4%
11 " .....	73.6%
12 " .....	72.8%
13 " .....	72.0%
14 " .....	71.2%
15 " .....	70.5%
16 " .....	69.8%
17 " .....	69.2%
18 " .....	68.6%
19 " .....	68.0%
20 " .....	67.4%

2. Where the dependant is older than the person by the number of years indicated in the first column:

0 years.....	83.9%
1 " .....	84.9%
2 " .....	85.9%
3 " .....	86.8%
4 " .....	87.7%
5 " .....	88.6%
6 " .....	89.4%
7 " .....	90.2%
8 " .....	91.0%
9 " .....	91.7%
10 " .....	92.4%

R.S.O. 1960,  
c. 392, s. 39a  
(1964, c. 115,  
s. 11),  
re-enacted

**22.** Section 39a of *The Teachers' Superannuation Act*, as enacted by section 11 of *The Teachers' Superannuation Amendment Act, 1964*, is repealed and the following substituted therefor:

- 39a. Every allowance terminates as of the end of the month in which the event that terminates the allowance occurs. Termination of allowances

**23.** Clause *b* of subsection 1 of section 44 of *The Teachers' Superannuation Act* is repealed. R.S.O. 1960, c. 392, s. 44, subs. 1, cl. b, repealed

**24.** Subsection 1, subsections 2 and 3 as re-enacted by section 12 of *The Teachers' Superannuation Amendment Act, 1964*, and subsection 3a, as enacted by section 12 of *The Teachers' Superannuation Amendment Act, 1964*, of section 48 of *The Teachers' Superannuation Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 392, s. 48, subs. 1, subs. 2, 3 s. 12), re-enacted; subs. 3a (1964, c. 115, s. 12), repealed

(1) A person who,

**Refunds**

(a) has credit in the Fund;

(b) is not entitled to an allowance under this Act; and

(c) ceases to be employed by withdrawing from the profession,

is entitled to a refund of an amount equal to the whole of his contributions to the Fund with interest on each amount contributed for the period of time it was in the Fund at the rate of 3 per cent per annum compounded half-yearly, but no such refund shall be made until three months after the date upon which the person ceased to be employed.

(2) Notwithstanding subsection 1, where a person has withdrawn his contributions from the Fund and subsequently was employed and again ceased to be employed, no refund under subsection 1 shall be made until twelve months have elapsed after the date upon which the person again ceased to be employed. Subsequent refunds

(3) Notwithstanding subsection 1, a person who has credit in the Fund for at least ten school years and was employed for at least twenty days in the calendar year in which he attained forty-five years of age or in a subsequent calendar year is not entitled to a refund of any contributions made to the Fund in respect of service rendered after the 31st day of December, 1964. Exception, where contributions locked in

**25.** Section 49 of *The Teachers' Superannuation Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 392, s. 49, re-enacted

Transfers  
from Fund  
to Public  
Service  
Superannua-  
tion Fund  
R.S.O. 1960,  
c. 332

49.—(1) A person who elects under *The Public Service Superannuation Act* to become a contributor to the Public Service Superannuation Fund is entitled to,

- (a) a refund under section 47 for his non-continuous service as determined by the Public Service Superannuation Board; and
- (b) a transfer to the Public Service Superannuation Fund of his contributions, the Government's contributions with respect thereto and interest on both such contributions for his continuous service as determined by the Public Service Superannuation Board.

Transfers  
from Fund  
to approved  
fund

- (2) Where a person ceases to be employed and becomes a contributor to a fund approved by the Commission, a sum of money equal to his contributions with interest at 3 per cent compounded half-yearly may, upon his request, be paid out of the Fund into such other fund.

Transfers  
from Public  
Service  
Superannua-  
tion Fund  
to Fund

- (3) Where a person's contributions in the Public Service Superannuation Fund are transferred under *The Public Service Superannuation Act* to the Fund, he is entitled to credit in the Fund for a period equal to the period for which he made contributions to the Public Service Superannuation Fund.

Idem,  
teachers

- (4) Where a person's contributions to the Public Service Superannuation Fund are not transferred under *The Public Service Superannuation Act* to the Fund and he was engaged in teaching while he was a civil servant, he is entitled to credit in the Fund for a period equal to the period for which he made contributions to the Public Service Superannuation Fund upon payment into the Fund of an amount equal to the teacher contribution applicable at the time of such service, the Government's contribution with respect thereto and interest on both such contributions.

R.S.O. 1960,  
c. 392, s. 50,  
subs. 1  
(1964, c. 115,  
s. 13,  
subs. 1),  
amended

**26.**—(1) Subsection 1 of section 50 of *The Teachers' Superannuation Act*, as re-enacted by subsection 1 of section 13 of *The Teachers' Superannuation Amendment Act, 1964*, is amended by striking out "at the rate of  $4\frac{3}{4}$  per cent per annum compounded half-yearly for the period" in the ninth, tenth and eleventh lines.

R.S.O. 1960,  
c. 392, s. 50,  
amended

(2) The said section 50 is amended by adding thereto the following subsection:

- (2) Notwithstanding subsection 1, a person who has elected to have a refund rather than an allowance under section 28 or 28*a* is not entitled to be reinstated in the Fund in respect of the period of employment for which the refund was made. Repayment prohibited

**27.** Section 51 of *The Teachers' Superannuation Act* is repealed. R.S.O. 1960,  
c. 392, s. 51,  
repealed

**28.** Section 53 of *The Teachers' Superannuation Act* is amended by striking out "51" in the first line. R.S.O. 1960,  
c. 392, s. 53,  
amended

**29.** Section 54 of *The Teachers' Superannuation Act* is amended by striking out "who has been employed for five or more years and" in the first and second lines, so that the section shall read as follows: R.S.O. 1960,  
c. 392, s. 54,  
amended

54. Where a person who is not in receipt of an allowance dies and no dependant's allowance becomes payable on his death, his personal representative is entitled to a refund of an amount equal to the amounts contributed by him to the Fund with interest on each amount for the period of time it was in the Fund to the date of death at the rate of 3 per cent per annum compounded half-yearly. Death before receiving allowance

**30.—**(1) Section 58 of *The Teachers' Superannuation Act* is amended by adding thereto the following paragraph: R.S.O. 1960,  
c. 392, s. 58,  
amended

- 4*a.* designating organizations and capacities for the purpose of subclause *ix a* of clause *d* of section 1.

(2) Paragraphs 14, 15 and 16 of the said section 58 are repealed. R.S.O. 1960,  
c. 392, s. 58,  
pars. 14-16,  
repealed

(3) Paragraph 23 of the said section 58 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 392, s. 58,  
par. 23,  
re-enacted

23. providing for and regulating the transfer from the Fund into any other fund established under the authority of the Parliament of Canada or the legislature of any province of Canada of an amount equal to a teacher's contributions, government contributions in respect thereof, and accumulated interest thereon, or equal to any one or more of them.

(4) Paragraph 24 of the said section 58 is amended by striking out "the Public Service Retirement Fund or" in the third and fourth lines, so that the paragraph shall read as follows: R.S.O. 1960,  
c. 392, s. 58,  
par. 24,  
amended



24. prescribing the conditions under which credit in the Fund may be given where moneys are transferred to the Fund from the Public Service Superannuation Fund and prescribing the method of determining the period for which credit shall be given.

1960-61,  
c. 98, s. 3;  
1962-63,  
c. 138, s. 5,  
repealed

**31.** Section 3 of *The Teachers' Superannuation Amendment Act, 1960-61* and section 5 of *The Teachers' Superannuation Amendment Act, 1962-63* are repealed.

Commence-  
ment

**32.—**(1) This Act, except sections 1, 5, 8 to 25 and 27 to 30, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of April, 1965.

Idem

(3) Sections 8 to 25 and 27 to 30 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

(4) Section 5 comes into force on the 1st day of November, 1966.

Short title

**33.** This Act may be cited as *The Teachers' Superannuation Amendment Act, 1966*.



## CHAPTER 153

## An Act to amend The Telephone Act

*Assented to May 18th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 60 of *The Telephone Act* is repealed and the following substituted therefor:
 

R.S.O. 1960,  
c. 394, s. 60,  
subs. 3,  
re-enacted
- (3) Where telephone service of a municipal telephone system has been discontinued, any subscriber for such service, or any of his lands, may be released and discharged from all liability in respect of the system, other than liability under subsection 4 of section 47, upon application to the Commission.
 

Release on  
discon-  
tinuation of  
service
- (4) Where part only of the system has been sold or otherwise disposed of and where the moneys received by the system from the sale or disposition are equal to or exceed the proportion of the debenture debt, interest thereon, maintenance costs and other costs chargeable under this Act at the date of sale against lands within the part of the system so sold or disposed of, the subscribers within such part are released and discharged from all liability in respect of the system.
 

Release  
on sale
- (5) Where, under this section, any subscriber is released and discharged from liability or the whole of the lands of a subscriber are released and discharged from liability, such subscriber ceases to be a subscriber.
 

When  
subscriber-  
ship  
ceases
- (6) A release and discharge from liability under this section does not discharge any person from any liability that may arise under any contract for telephone service.
 

Release  
subject to  
contract  
charges
2. This Act comes into force on the day it receives Royal Assent.
 

Commence-  
ment

3. This Act may be cited as *The Telephone Amendment Act, 1966*.
 

Short title



## CHAPTER 154

**An Act to amend The Territorial Division Act**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *b* of paragraph 16 of section 1 of *The Territorial Division Act* is amended by inserting after “of” in the first line “Bayfield”. R.S.O. 1960,  
c. 395, s. 1,  
par. 16,  
cl. *b*,  
amended

(2) Clause *b* of paragraph 31 of the said section 1, as amended by subsection 13 of section 1 of *The Territorial Division Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 395, s. 1,  
par. 31,  
cl. *b*,  
re-enacted

(*b*) the villages of Alfred, L'Original, Plantagenet, St. Isidore de Prescott.

(3) Clause *b* of paragraph 44 of the said section 1 is amended by striking out “Nesterville” in the first line. R.S.O. 1960,  
c. 395, s. 1,  
par. 44,  
cl. *b*,  
amended

(4) Clause *d* of paragraph 44 of the said section 1 is amended by striking out “Korah” in the first column and by striking out “Tarentorus” in the third column. R.S.O. 1960,  
c. 395, s. 1,  
par. 44,  
cl. *d*,  
amended

**2.** This Act may be cited as *The Territorial Division Amendment Act, 1966*. Short title



## CHAPTER 155

## An Act to amend The Tile Drainage Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 1 of *The Tile Drainage Act* is amended by striking out “\$200,000” in the fifth line and inserting in lieu thereof “\$300,000” and by striking out “or twenty” in the seventh line, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 399, s. 1,  
subs. 1,  
amended

- (1) Subject to sections 64 and 65 of *The Ontario Municipal Board Act*, the council of a town, village or township may pass by-laws (Form 1) for borrowing for the purposes hereinafter mentioned, in sums of not less than \$2,000, and not exceeding \$300,000 in the whole, such amount as they may deem expedient, and for issuing therefor debentures of the municipality (Form 2), payable within ten years from the date of the debentures, which shall bear date in the year in which the money is borrowed from the municipality as is hereinafter provided, and bearing interest at a rate of not less than 3 per cent per annum, and it is not necessary to obtain the assent of the electors to any such by-law before the passing thereof.

Borrowing  
powers of  
councils  
R.S.O. 1960,  
c. 274

(2) Subsection 2 of the said section 1 is amended by striking out “\$200,000” in the fourth line and inserting in lieu thereof “\$300,000”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 399, s. 1,  
subs. 2,  
amended

- (2) The amount of the indebtedness of the municipality in respect of money so borrowed and remaining unpaid, including the amount provided for in any by-law being passed, shall not at any time exceed \$300,000, and no such by-law shall be passed except at a meeting of the council specially called for the purpose of considering it and of which notice has been published in accordance with subsection 3.

Proviso



R.S.O. 1960,  
c. 399, s. 1,  
subs. 4,  
amended

(3) Subsection 4 of the said section 1 is amended by striking out "\$300,000" in the fifth line and in the seventh line and inserting in lieu thereof in each instance "\$500,000", so that the subsection shall read as follows:

Borrowing  
powers  
where  
assessment  
not less  
than  
\$3,000,000

(4) Notwithstanding subsections 1 and 2, the council of a town, village or township, the assessment of the whole rateable property in which according to the last revised assessment roll is not less than \$3,000,000, may for the purposes hereinafter mentioned borrow sums not exceeding \$500,000 in the whole, provided the indebtedness in respect of money so borrowed and remaining unpaid shall not at any time exceed \$500,000.

R.S.O. 1960,  
c. 399, s. 13,  
subs. 1,  
amended

**2.** Subsection 1 of section 13 of *The Tile Drainage Act* is amended by striking out "or twenty" in the third line, so that the subsection shall read as follows:

Application  
of proceeds  
of loans

(1) The council shall lend the money so borrowed only for the purpose of tile, stone or timber drainage and for a term of ten years, in sums of \$100 or multiples thereof, subject to section 14, as the council may deem proper, to persons entitled to borrow.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Tile Drainage Amendment Act, 1966*.

## CHAPTER 156

**An Act to amend The Tobacco Tax Act, 1965**

*Assented to March 29th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of subsection 1 of section 2 of *The Tobacco Tax Act, 1965* is amended by striking out “one-twentieth” in the first line and inserting in lieu thereof “one-tenth”, so that the clause shall read as follows:

(a) one-tenth of 1 cent on every cigarette purchased by him.

(2) Clause *c* of subsection 1 of the said section 2 is repealed and the following substituted therefor:

(c) 1 cent per ounce or part thereof of any tobacco, other than cigarettes or cigars, purchased by him at a price of less than 50 cents a package;

(d) 1 cent per ounce or part thereof of any tobacco, other than cigarettes or cigars, that is packaged in quantities of two ounces or more and purchased by him at a price of less than 25 cents per ounce;

(e) 2 cents per ounce or part thereof of any tobacco, other than cigarettes or cigars, purchased by him at a price of 50 cents or more a package.

**2.** This Act comes into force on the 1st day of April, 1966.

Commence-  
ment

**3.** This Act may be cited as *The Tobacco Tax Amendment Act, 1966*.

Short title



## CHAPTER 157

**An Act to amend The Trustee Act**

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Trustee Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 408,  
amended

**64a.** Where in the administration of any trust, estate or fund any question relating to the disposition, transmission or devolution of any property arises, including the right of any person to terminate a trust or an accumulation directed under a trust or other disposition, and it becomes relevant to inquire whether any person is or at a relevant date was or will be capable of procreating or giving birth to a child, section 7 of *The Perpetuities Act, 1966* applies to any such question as it applies to questions concerning the rule against perpetuities. Application  
of 1966,  
c. 113, s. 7

**2.** This Act may be cited as *The Trustee Amendment Act, 1966*. Short title





## CHAPTER 158

## An Act to amend The Vital Statistics Act

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 4 of section 18 of *The Vital Statistics Act* is repealed. R.S.O. 1960,  
c. 419, s. 18,  
subs. 4,  
repealed

**2.** Subsection 2 of section 20 of *The Vital Statistics Act* is amended by striking out "division registrar" in the tenth line and inserting in lieu thereof "Registrar General", so that the subsection shall read as follows: R.S.O. 1960,  
c. 419, s. 20,  
subs. 2,  
amended

(2) Where a person has died under any of the circumstances mentioned in subsection 1 and it is impracticable for the coroner to complete a medical certificate of the cause of death, he may issue his warrant to bury when he has examined the body as provided in *The Coroners Act*, and the division registrar shall issue a burial permit on the delivery to him of the warrant to bury, and the coroner shall, within two days of his determining the cause of death or of the completion of his investigation, certify and deliver or mail the medical certificate of death to the Registrar General. Coroner's  
warrant  
to bury  
  
R.S.O. 1960,  
c. 69

**3.** *The Vital Statistics Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 419,  
amended

50a.—(1) Where a statement of birth, still-birth or death is received for registration by the Registrar General directly instead of by the division registrar of the registration division within which the birth, still-birth or death, as the case may be, occurred, the Registrar General may, if he is satisfied as to the correctness and sufficiency of the statement, register the birth, still-birth or death by signing the statement, and thereupon the provisions of this Act relating to the registration of births, still-births and deaths apply *mutatis mutandis* thereto. Registration  
by Registrar  
General

Idem

- (2) Where the Registrar General registers a birth, still-birth or death under subsection 1, he shall forward a copy of the statement of birth, still-birth or death, as the case may be, received by him for registration to the division registrar of the registration division within which the event occurred.

R.S.O. 1960,  
c. 419, s. 55,  
cl. g,  
repealed

4. Clause g of section 55 of *The Vital Statistics Act* is repealed.

R.R.O. 1960,  
Reg. 562,  
s. 38,  
revoked

5. Section 38 of Regulation 562 of the Revised Regulations of Ontario, 1960 is revoked.

Commence-  
ment

6. This Act comes into force on the 1st day of July, 1966.

Short title

7. This Act may be cited as *The Vital Statistics Amendment Act, 1966*.

## CHAPTER 159

**The Vocational Rehabilitation  
Services Act, 1966**

*Assented to July 8th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Director" means the Director of the Vocational Rehabilitation Services Branch of the Department of Public Welfare;
- (b) "disabled person" means a person who because of physical or mental impairment is incapable of pursuing regularly any substantially gainful occupation as determined by the regulations;
- (c) "Minister" means the Minister of Public Welfare;
- (d) "regulations" means the regulations made under this Act;
- (e) "vocational rehabilitation services" means goods, allowances or services provided under the rehabilitation programme established under section 5;
- (f) "workshop" means a place where any manufacture or handiwork is carried on and that is operated for the purpose of providing useful and remunerative employment and work training or work assessment under actual or simulated working conditions for vocationally handicapped persons. R.S.O. 1960, c. 350, s. 1, *amended*.

**2.** The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Government of Canada or with any person or organization for the purpose of providing vocational rehabilitation services to disabled persons or in respect of the provision of such service. R.S.O. 1960, c. 350, s. 3, *amended*.

Approval of  
organiza-  
tions for  
capital  
grants

**3.** The Lieutenant Governor in Council may approve any organization providing vocational rehabilitation services to which grants for capital purposes may be paid in accordance with the regulations. R.S.O. 1960, c. 350, s. 2, *amended*.

Approval of  
workshops  
for capital  
grants

**4.** The Lieutenant Governor in Council may approve workshops for which grants for capital purposes may be paid in accordance with the regulations. *New*.

Rehabilita-  
tion  
programme

**5.** A rehabilitation programme shall be established to provide,

- (a) goods or services to enable a disabled person to become capable of pursuing regularly a substantially gainful occupation;
- (b) services for the assessment of the individual medical, social and psychological needs of a disabled person and for the formulation of the vocational rehabilitation services likely to be required to meet his needs;
- (c) rehabilitation counselling, including guidance and adjustment services, and assistance in obtaining, and succeeding in, a substantially gainful occupation;
- (d) for the payment of costs of assessment, training, pre-vocational training, work adjustment training and personal adjustment training, including books and training materials;
- (e) for the payment to disabled persons of maintenance allowances and travelling allowances, including travelling allowances for a disabled person's guide or escort, to the extent necessary to enable the disabled person to derive the full benefit of vocational rehabilitation services provided under this Act;
- (f) medical, surgical or psychiatric treatment or procedures related or directed thereto that may be expected within a reasonable period of time to eliminate or favourably modify any chronic, cyclical or slowly-progressive impairment that renders a person disabled;
- (g) appliances designed to support or take the place of a part of the body or to increase the acuity of a sensory organ;
- (h) necessary initial occupational and business tools, equipment, supplies and licences;

- (i) for the payment of grants,
  - (i) to approved organizations for the establishment and expansion of workshops and for other capital purposes, and
  - (ii) to organizations for the operation of workshops and the provision of other vocational rehabilitation services;
- (j) for the training of persons as counsellors and administrators to carry out the rehabilitation programme;
- (k) for research relating to vocational rehabilitation services and for the payment of grants to persons or organizations for this purpose; and
- (l) for such other matters and services as are prescribed by the regulations. *New.*

**6.** Any disabled person who is ordinarily resident in Ontario and who is eligible therefor as determined by the regulations may be provided with vocational rehabilitation services. R.S.O. 1960, c. 350, s. 4, *amended*. Eligibility  
for services

**7.—(1)** There shall be a Director of the Vocational Rehabilitation Services Branch of the Department of Public Welfare who shall, Duties of  
Director

- (a) make known the rehabilitation programme established under this Act to disabled persons and to any other interested person;
- (b) receive applications for vocational rehabilitation services, determine the eligibility of each applicant and, where the applicant is eligible, determine the nature and extent of the vocational rehabilitation services necessary to meet his needs and direct their provision accordingly;
- (c) carry out and administer the rehabilitation programme established under this Act and foster, co-ordinate and improve the programmes of organizations or agencies providing vocational rehabilitation services;
- (d) enter into arrangements with such persons and organizations as may be necessary for the provision of services under this Act;

(e)



- (e) compile statistics and reports relating to the provision of vocational rehabilitation services or the need for such services under this Act; and
- (f) carry out such other duties as are assigned to him by this Act and the regulations. R.S.O. 1960, c. 350, s. 5, *amended*.

Where  
Director  
absent

(2) Where the Director is absent or there is a vacancy in the office, the powers and duties of the Director shall be exercised and performed by such person in the public service as the Minister designates. R.S.O. 1960, c. 350, s. 6, *amended*.

Board of  
review

**8.**—(1) The Minister shall appoint a board of review consisting of such number of members as he deems appropriate and shall designate one of the members as chairman.

Review

(2) Any applicant for vocational rehabilitation services under this Act or the regulations may request a hearing and review by the board of review of a decision, order or directive of the Director affecting the applicant.

Powers on  
review

(3) Where a hearing and review are requested, the board of review shall hold a hearing and may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the board of review deems proper, and thereupon the Director shall act accordingly.

Order  
final

(4) The order of the board of review is final, but a further application for vocational rehabilitation services may be made by the applicant upon new or other evidence or where it is clear that material circumstances have changed. *New*.

Regulations

**9.** The Lieutenant Governor in Council may make regulations,

- (a) for determining substantially gainful occupations for the purposes of clause *b* of section 1;
- (b) specifying the organizations approved under section 3 and the workshops approved under section 4;
- (c) governing the amounts of allowances to be paid to disabled persons or any class thereof, and the manner and time of payment;
- (d) providing for the apportionment and distribution of grants to organizations approved under section 3 for the establishment and expansion of workshops approved under section 4 operated by such organizations and for other designated capital purposes, and prescribing the terms and conditions upon which grants shall be paid;

- (e) prescribing the eligibility of workshops and organizations for grants other than grants referred to in clause *d* and providing for the apportionment and distribution of grants to eligible organizations providing workshops or other vocational rehabilitation services or any class thereof, and prescribing the terms and conditions upon which grants shall be paid;
- (f) prescribing additional matters that shall be included in the rehabilitation programme established under section 5;
- (g) prescribing the classes of disabled persons who are eligible for vocational rehabilitation services, and fixing standards of eligibility;
- (h) governing applications for vocational rehabilitation services;
- (i) prescribing additional duties of the Director;
- (j) establishing an advisory committee to advise the Minister respecting the provision and development of vocational rehabilitation services;
- (k) establishing a medical advisory board of one or more persons to advise the Director in the performance of his duties;
- (l) prescribing forms and providing for their use, and requiring the information in any form to be verified by affidavit;
- (m) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 350, s. 8, *amended*.

**10.** The moneys required for the purposes of section 6 and for the administration of this Act shall, until the 31st day of March, 1967, be paid out of the Consolidated Revenue Fund, and thereafter out of the moneys appropriated therefor by the Legislature. *New.*

**11.** *The Rehabilitation Services Act* is repealed.

R.S.O. 1960,  
c. 350,  
repealed

**12.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-  
ment

**13.** This Act may be cited as *The Vocational Rehabilitation Services Act, 1966*.

Short title



## CHAPTER 160

## An Act to amend The Weed Control Act

*Assented to July 8th, 1966*  
*Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *f* of section 1 of *The Weed Control Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 427, s. 1,  
cl. *f*,  
re-enacted

(*f*) "Minister" means the Minister of Agriculture and Food.

**2.** *The Weed Control Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 427,  
amended

**1a.** For the purposes of this Act, the owner of any land shall be deemed, unless the contrary is proved, to be the person in possession of the land. Persons  
deemed in  
possession

**3.** Subsection 1 of section 3 of *The Weed Control Act*, as re-enacted by section 1 of *The Weed Control Amendment Act, 1965*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 427, s. 3,  
subs. 1  
(1965,  
c. 141, s. 1),  
re-enacted

(1) Every person in possession of land shall destroy all noxious weeds thereon. Duty to  
destroy  
noxious  
weeds

**4.** Subsection 1 of section 10 of *The Weed Control Act*, as amended by section 2 of *The Weed Control Amendment Act, 1965*, is further amended by adding at the end thereof "and the person in possession of the land shall comply with the order", so that the subsection shall read as follows: R.S.O. 1960,  
c. 427, s. 10,  
subs. 1,  
amended

(1) Where an inspector finds noxious weeds or weed seeds on land in the area within his jurisdiction, he may order the person in possession of the land to destroy the noxious weeds or weed seeds, and the person in possession of the land shall comply with the order. Order for  
destruction  
of weeds

R.S.O. 1960,  
c. 427, s. 19,  
amended

**5.** Section 19 of *The Weed Control Act* is amended by adding thereto the following subsection:

Application  
of penalty

(2) Subsection 1 applies to a person who is in contravention of section 3 or of an order made under subsection 1 of section 10, notwithstanding that procedures for destroying weeds are provided for.

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The Weed Control Amendment Act, 1966*.



## CHAPTER 161

**An Act to provide for the Expansion  
and Improvement of Privately-Owned  
Woodlands**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,Interpre-  
tation

- (a) "forestry purposes" means forestry purposes as defined in *The Forestry Act*;
- (b) "improvement of the woodlands" does not include any treatment that will produce immediate revenue;
- (c) "management programme" means a report of the existing forest resources and on the proposed silvicultural and marketing programme;
- (d) "Minister" means the Minister of Lands and Forests;
- (e) "nursery stock" means nursery stock as defined in *The Forestry Act*;
- (f) "owner" means registered owner in fee simple;
- (g) "regulations" means the regulations made under this Act;
- (h) "woodlands" means lands having at least 400 trees per acre of all sizes or at least 300 trees per acre measuring over two inches in diameter or at least 200 trees per acre measuring over five inches in diameter or at least 100 trees per acre measuring over eight inches in diameter (all such measurements to be taken at four and one-half feet from the ground), but does not include a plantation established for the purpose of producing Christmas trees.

Agreements  
as to  
forestry  
development

**2.** Subject to the regulations, the Minister may, upon such terms and conditions as he deems proper, enter into agreements with the owners of lands that are suitable for forestry purposes and that are situate in a private forest management area for the planting of nursery stock or the improvement of the woodlands on such lands.

Cutting  
of trees

**3.** Where an owner of land enters into an agreement under section 2, he shall not cut or remove any trees growing on the land covered by the agreement except in accordance with the management programme under the agreement.

Termination  
of agree-  
ment and  
recovery  
of cost

**4.** Where an owner of land who has entered into an agreement under section 2 violates or fails to observe any provision of the agreement or this Act, the Minister may terminate the agreement and may recover from the owner in any court of competent jurisdiction the cost of the planting of nursery stock or the improvement of the woodlands determined at the rate fixed by the regulations.

Regulations

**5.—(1)** The Lieutenant Governor in Council may make regulations,

- (a) fixing the cost of the planting of nursery stock and the cost of improvement of the woodlands that are recoverable by the Minister under section 4;
- (b) prescribing the maximum sum per acre that the Minister may expend under agreements entered into under section 2;
- (c) designating parts of Ontario as private forest management areas.

Idem,  
limited  
effect

(2) Any regulation may be limited to one or more private forest management areas.

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The Woodlands Improvement Act, 1966*.

PART II  
PRIVATE ACTS  
Chapters 162 to 191



## CHAPTER 162

### An Act respecting the Police Village of Baden

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the County of Waterloo <sup>Preamble</sup> by its petition has represented that it is desirous of providing for the re-establishing of the boundaries of the Police Village of Baden, in the Township of Wilmot, in the County of Waterloo, to facilitate the preparation of the assessment roll by the assessment commissioner for the County of Waterloo, and that for such purpose it is necessary to more clearly define the boundaries of such Police Village; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The boundaries of the Police Village of Baden, in the <sup>Boundaries of Baden</sup> Township of Wilmot, in the County of Waterloo, are hereby <sup>redefined</sup> re-established so that they shall be as follows:

COMMENCING at the point where the north limit of Highway 7 and 8 intersects with the west limit of Township Road No. 16; thence northwesterly along the west limit of Township Road No. 16 to a point where the same intersects with the north limit of the C.N.R. right-of-way; thence southwesterly along the north limit of the C.N.R. right-of-way to a point Five hundred and sixteen (516.00) feet perpendicularly north from the north limit of Snider Road (also known as Snyder Avenue); thence westerly parallel to and Five hundred and sixteen (516.00) feet north from the north limit of Snider Road to the lot line between Township Lots 16 and 17; thence southeasterly along the lot line between Township Lots 16 and 17 to a point where the same intersects the north limit of Highway 7 and 8; thence northeasterly along the north limit of Highway 7 and 8 to the place of beginning.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

**3.** This Act may be cited as *The Police Village of Baden* <sup>Short title</sup> Act, 1966.





CHAPTER 163

An Act respecting the City of Brantford

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Brantford Preamble  
by its petition has represented that it desires to establish  
a civic centre as a Centennial project and that it has established  
a board of management, consisting of seven members, under  
paragraph 69 of section 377 of *The Municipal Act* to operate R.S.O. 1960,  
c. 249  
and manage the civic centre to be known as The Brantford  
and District Civic Centre Commission; and whereas the peti-  
tioner has prayed that special legislation be passed increasing  
the membership of such board of management to nine members  
and constituting the Commission a community centre board for  
the purposes of the civic centre; and whereas it is expedient  
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. In this Act,

Interpre-  
tation

- (a) "City" means The Corporation of the City of Brantford;
- (b) "Commission" means The Brantford and District Civic Centre Commission;
- (c) "County" means The Corporation of the County of Brant.

2. There shall be a commission, to be known as "The Brantford and District Civic Centre Commission  
Brantford and District Civic Centre Commission", which  
shall be composed of nine members as follows:

- 1. Two members of the council of the City, to be appointed by the council of the City.
- 2. One member of the council of the County, to be appointed by the council of the County.

3. Six members, resident in the County of Brant but who are not members of the council of the City or of the council of the County, to be appointed by the council of the City.

Power to  
contract  
and sue

- 3.** The Commission may contract and may sue and be sued in its own name, and the members thereof are not personally liable upon any contract made by the Commission.

Commission  
deemed  
to be  
board of  
manage-  
ment  
R.S.O. 1960,  
c. 249

- 4.**—(1) Subject to this Act, the Commission shall be deemed to have been appointed under paragraph 69 of section 377 of *The Municipal Act* as a board of management for the civic centre established by the City as a Centennial project.

Commission  
deemed  
to be  
community  
centres  
board  
under  
R.S.O. 1960,  
c. 60

- (2) Subject to this Act, the Commission shall be deemed to be a community centres board established under *The Community Centres Act* for the sole purpose of managing and controlling the civic centre established by the City as a Centennial project.

Expenditure  
of moneys

- 5.** The Commission may expend moneys received from the council of the City only in accordance with the budget of the Commission as approved from time to time by the council, and any moneys received by the Commission for a specific purpose may be used by the Commission only for such specific purpose.

Commence-  
ment

- 6.** This Act comes into force on the day it receives Royal Assent.

Short title

- 7.** This Act may be cited as *The City of Brantford Act, 1966*.

## CHAPTER 164

## An Act respecting the Town of Burlington

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the Town of Burlington, <sup>Preamble</sup>  
herein called the Corporation, by its petition has prayed  
for special legislation in respect of the matters hereinafter  
set forth; and whereas it is expedient to grant the prayer of  
the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.**—(1) Section 9 of *The Town of Burlington Act, 1965* <sup>1965,</sup>  
is amended by adding thereto the following subsection: <sup>c. 145, s. 9,</sup>  
<sup>amended</sup>

(1a) Where farm lands containing not fewer than five <sup>Idem</sup>  
acres and used exclusively for farm purposes were,  
or are after the 1st day of January, 1965, specially  
assessed with a special rate per foot frontage imposed  
under *The Local Improvement Act, The Municipal Act* <sup>R.S.O. 1960,</sup>  
or *The Ontario Water Resources Commission Act* <sup>cc. 223, 249,</sup>  
<sup>281</sup>  
in respect of the owner's portion of the cost of con-  
struction of watermains, storm sewers, sanitary  
sewers, sidewalks or curbs, the Town may pass by-  
laws postponing the payment of all or any part of  
such special rate per foot frontage in excess of 100  
feet until such time as the land ceases to be used  
as farm land.

(2) Subsection 3 of the said section 9 is repealed and the <sup>1965,</sup>  
following substituted therefor: <sup>c. 145, s. 9,</sup>  
<sup>subs. 3,</sup>  
<sup>re-enacted</sup>

(3) The clerk of the Town shall forthwith give notice <sup>Notice of</sup>  
by registered mail to each owner of land affected by <sup>by-law</sup>  
a by-law passed under subsection 1 or 1a, and any  
demand made under subsection 2 shall be made by  
registered mail addressed to the assessed owner.

**2.**—(1) Such advertising shall be done and such notices <sup>Notice of</sup>  
shall be given of the proposed construction of urban services, <sup>construction</sup>  
<sup>of urban</sup>  
<sup>services</sup>

a part of the cost of which is proposed to be charged to the improvement area established by order of the Ontario Municipal Board dated the 11th day of September, 1957, as amended, as would be required if such part of the cost were being charged to the whole Corporation.

Name of  
improve-  
ment area

(2) In any advertisement made or notice given of the proposed construction of an urban service, the cost or part of the cost of which is to be charged to such improvement area, the improvement area shall be described as the "Improvement Area of the Town of Burlington" and no additional description shall be necessary.

By-laws

**3.**—(1) By-laws may be passed by the council of the Corporation for requiring the establishment, construction, preservation and maintenance of the following facilities within the Town of Burlington, or within any defined area or areas thereof, as a condition precedent to the development or redevelopment of any land, and for regulating and controlling such facilities:

1. Access ramps between private land and the travelled portion of a public street, lane or highway, the location thereof and the direction of traffic thereon.
2. The grading of private lands and the disposal of storm and waste water therefrom.
3. Floodlighting of any building or structure.
4. Garbage vaults and central garbage storage and collection areas.
5. Surfacing of parking areas.
6. Walls, fences, hedges and strip planting of trees or shrubs, to provide a buffer zone between land use zones.

Idem

(2) Such by-laws may,

- (a) provide that, without cost, easements necessary for public facilities serving only the proposed development shall be conveyed to the Town of Burlington;
- (b) prohibit the issuance of building permits until all requirements of the by-laws have been met and, in the case of undeveloped commercial or multi-family blocks or the redevelopment thereof, until site plans have been submitted to and approved by the Corporation; and

(c)



- (c) provide that all works required by the by-laws or of any nature incidental or necessary to the development shall be carried out by the owner of the lands being developed at his sole risk and expense and, where such works are on a road allowance, to the satisfaction of the Town of Burlington.

(3) Such by-laws may provide that,

*Idem*

- (a) the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;
- (b) any loss, costs and damages, which the Corporation may suffer for or by reason of or on account of the construction, maintenance or existence of such works, constitute a first lien and charge upon the lands and shall be collectable in like manner as municipal taxes.

(4) Any person aggrieved by the provisions of a by-law or an amending by-law passed under the authority of this section may, within thirty days after the passage of the by-law or amending by-law, appeal to the Ontario Municipal Board, and such Board shall hear the appeal and dismiss the same or direct that the by-law or amending by-law be amended in accordance with its order.

(5) Where an application has been made to the Ontario Municipal Board in respect of a by-law passed under this section, a copy of the decision of such Board with respect to the application shall be supplied by such Board to the applicant and to each person who appeared in person or by counsel at the hearing of the application and who filed with such Board or the secretary of such Board a written request for notice of the decision.

4.—(1) The special assessment roll prepared under *The Local Improvement Act* for the watermains, storm and sanitary sewers and road improvements made on Industrial Street, pursuant to By-law 2399 of the Town of Burlington, is set aside and the preparation of a new roll therefor is authorized.

(2) When prepared, such new roll shall be revised in accordance with *The Local Improvement Act*.

(3) The owners' portion of the cost of the work constructed pursuant to By-law 2399 shall not include any interest from the date of the original roll to the date of the new roll on the amount of \$11,406.43, which was omitted from the owners' share of the cost on the original roll.

## Debentures

(4) The Town of Burlington may issue and sell debentures for the amount of \$11,568, being the part of the cost of the work that was omitted from the existing special assessment roll.

Credit for  
rates paid

(5) Any rates paid under the existing assessment roll shall be applied on account of rates chargeable under the new roll.

Commence  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

## Short title

**6.** This Act may be cited as *The Town of Burlington Act, 1966*.

## CHAPTER 165

## An Act respecting the Canadian National Exhibition Association

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS the Canadian National Exhibition Association by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Canadian National Exhibition Association Act, 1948* is amended by adding thereto the following clause: 1948,  
c. 105, s. 1,  
amended

(e) "Municipality" means The Municipality of Metropolitan Toronto. "Municipality"

**2.** Section 3 of *The Canadian National Exhibition Association Act, 1948* is amended by striking out "at the City of Toronto" in the first and second lines and inserting in lieu thereof "in the Municipality", so that the section shall read as follows: 1948,  
c. 105, s. 3,  
amended

**3.** The head office of the Association shall be in the Municipality. Head Office

**3.—(1)** Clause *a* of section 4 of *The Canadian National Exhibition Association Act, 1948* is amended by striking out "City of Toronto or in the Township of York" in the second and third lines and inserting in lieu thereof "Municipality", so that the first five lines of the clause shall read as follows: 1948,  
c. 105, s. 4,  
amended

(a) either permanently or periodically in structures, buildings, enclosures and places located in the Municipality, suitable for exhibition purposes, and for the promotion of industries, arts and sciences generally, exhibition  
authorized

. . . . .

1948,  
c. 105, s. 4,  
amended

(2) The said section 4 is amended by adding thereto the following clause:

agent for  
the Municipality

- (i) to act as agent for the Municipality in the management and operation of such part of the buildings, structures or grounds in or in the vicinity of Exhibition Park as may be designated by the council of the Municipality upon such terms and conditions as may be agreed between the Association and the Municipality.

1948,  
c. 105, s. 5,  
subs. 1,  
re-enacted

4.—(1) Subsection 1 of section 5 of *The Canadian National Exhibition Association Act, 1948*, as amended by subsection 1 of section 1 of *The Canadian National Exhibition Association Amendment Act, 1949*, is repealed and the following substituted therefor:

Membership

- (1) The membership of the Association shall be divided into three sections, namely:

- A. The Municipal Section, not to exceed sixty-six members, exclusive of life members.
- B. The General, Manufacturers and Liberal Arts Section, not to exceed sixty-six members, exclusive of life members.
- C. The Agricultural Section, not to exceed sixty-six members, exclusive of life members.

1948,  
c. 105, s. 5,  
subs. 2,  
re-enacted

(2) Subsection 2 of the said section 5, as amended by section 1 of *The Canadian National Exhibition Association Act, 1956* and subsections 1 and 2 of section 1 of *The Canadian National Exhibition Association Amendment Act, 1965*, is repealed and the following substituted therefor:

Municipal  
Section

- (2) The Municipal Section shall consist of,

*ex officio*  
members

- (a) the Chairman and all other members of the council of the Municipality, all permanent heads of departments appointed by the council of the Municipality, the Chairman of the Metropolitan Board of Commissioners of Police, the Chief of Police of the Municipality, the Chairman of the Metropolitan Licensing Commission, the Chairman of the Metropolitan Toronto Planning Board, the Commissioner of Planning, the Chief of the Fire Department for Toronto and the Medical Officer of Health for Toronto, all of whom shall be *ex officio* members of the Association;

(b)



- (b) two representatives from the Metropolitan <sup>appointed members</sup> Toronto School Board, two representatives from the council of The Corporation of the County of York, and one representative from each of the following:

The Parking Authority of Toronto,  
 The City of Toronto Planning Board,  
 The Toronto Transit Commission,  
 The Toronto Electric Commissioners,  
 The Toronto Harbour Commissioners,  
 The Metropolitan Separate School Board,  
 and  
 The Convention and Tourist Bureau of  
 Metropolitan Toronto,

such representatives to be named and appointed annually in the month of January by the said several bodies; and

- (c) the life members of the Association assigned <sup>life members</sup> to the Municipal Section.

(3) Subsection 3 of the said section 5, as amended by sub-<sup>1948,</sup> section 2 of section 1 of *The Canadian National Exhibition* <sup>c. 105, s. 5,</sup> *Association Amendment Act, 1949* and subsection 3 of section 1 <sup>subs. 3,</sup> of *The Canadian National Exhibition Association Amendment* <sup>re-enacted</sup> *Act, 1965*, is repealed and the following substituted therefor:

- (3) The General, Manufacturers and Liberal Arts Section <sup>General, Manufacturers and Liberal Arts Section</sup> shall consist of,

- (a) the Minister of Trade and Commerce of Canada and the following ministers for the Province of Ontario:

the Minister of Tourism and Information,  
 the Minister of Public Works,  
 the Minister of Education,  
 the Minister of Mines,  
 the Minister of Lands and Forests,  
 the Minister of Municipal Affairs, and  
 the Minister of Economics and Development,

all of whom shall be *ex officio* members of the Association and provided also that the deputy of each of the said ministers shall be *ex officio* a member of the Association in place of his minister during the absence or illness of his minister or during such periods as his minister from time to time may designate in writing;



appointed  
members

- (b) fifteen representatives from the Canadian Manufacturers' Association, at least three of whom shall be non-residents of the City of Toronto, whose principal businesses are located outside the City of Toronto; five representatives from the Board of Trade of Metropolitan Toronto; four representatives from the Toronto and District Labour Council, and one representative from each of the following:

Academy of Medicine, Toronto,  
Art Gallery of Toronto,  
Association of Professional Engineers of Ontario,  
Canadian Association of Broadcasters,  
Canadian Chamber of Commerce,  
Canadian Construction Association,  
Canadian Daily Newspaper Publishers' Association,  
Canadian Electrical Manufacturers' Association,  
Canadian Gas Association,  
Canadian Weekly Newspapers' Association,  
Commercial Travellers' Association of Canada,  
Consumers' Association of Canada,  
Electronic Industries Association of Canada,  
Imperial Order Daughters of the Empire—National Chapter,  
Metropolitan Toronto Industrial Commission,  
Oil Heating Association of Canada,  
Ontario Association of Architects,  
Ontario Society of Artists,  
Royal Canadian Academy of Arts,  
Royal Conservatory of Music of Toronto,  
The Canadian Society of Graphic Arts,  
The Hydro-Electric Power Commission of Ontario,  
The National Council of Women of Canada,  
The Retail Merchants Association of Canada,  
The York Pioneer and Historical Society,  
Toronto Camera Club, and  
Toronto Construction Association,

such

such representatives to be named and appointed by such bodies at their annual meetings for the election of officers and, in the case of The Hydro-Electric Power Commission of Ontario, to be appointed annually; and

- (c) the life members of the Association assigned to the General, Manufacturers and Liberal Arts Section. life members

(4) Clause *a* of subsection 4 of the said section 5, as re-enacted by subsection 4 of section 1 of *The Canadian National Exhibition Association Amendment Act, 1965*, is repealed and the following substituted therefor: 1948,  
c. 105, s. 5,  
subs. 4  
(1965,  
c. 146, s. 1,  
subs. 4),  
cl. a,  
re-enacted

- (a) the Minister of Agriculture of Canada, the Director of the Central Experimental Farm, the Director of Canadian National Livestock Records, the Director of Production and Marketing and the Veterinary Inspector General, all of the Canada Department of Agriculture; the Minister of Agriculture and Food, the Deputy Minister of Agriculture and Food, the Assistant Deputy Minister (Administration), the Assistant Deputy Minister (Services), the Live Stock Commissioner, the Chairman of the Ontario Farm Products Marketing Board, the Director of Extension, the Director of the Soils and Crops Branch, the Director of the Agricultural and Horticultural Societies Branch, the Director of the Home Economics Branch, the Director of the Veterinary Services Branch and the Dairy Commissioner, all of the Ontario Department of Agriculture and Food; and the Dean of Agriculture and the Dean of Veterinary Science, both of the University of Guelph; all of whom shall be *ex officio* members of the Association. ex officio members

(5) Subsection 6 of the said section 5, as re-enacted by section 1 of *The Canadian National Exhibition Association Amendment Act, 1952*, is amended by striking out "(other than the council of the County of York and The Hydro-Electric Power Commission of Ontario)" in the fifth and sixth lines, so that the subsection shall read as follows: 1948,  
c. 105, s. 5,  
subs. 6  
(1952,  
c. 116, s. 1),  
amended

- (6) Notice of appointment of representatives of the bodies named in subsections 3 and 4 and the names and addresses of such representatives, signed by the president and secretary of each of the said bodies, together with a statement, verified by statutory declaration of such secretary, of the total number of members of the body at the date of its annual meet-

ing,

ing, the number of such members who upon the said date had paid their fees to the body, and the number of such members who attended the annual meeting, shall forthwith after such meeting be given to the Association so that the same shall be received by the secretary of the Association not later than the third Wednesday of January in each year at the hour of 12 o'clock noon.

1948,  
c. 105, s. 5,  
subs. 9,  
amended

(6) Subsection 9 of the said section 5 is amended by striking out "City Council and Municipality" in the fourth line and inserting in lieu thereof "Municipal", so that the subsection shall read as follows:

Past  
presidents  
to be life  
members of  
the Board

(9) In recognition of distinguished services to the Association, all past presidents shall be constituted life members of the Association and members of the Board, and shall be assigned to the Municipal Section, the General, Manufacturers and Liberal Arts Section or the Agricultural Section, as may be determined by the Board.

1948,  
c. 105, s. 6,  
subs. 1,  
re-enacted

5.—(1) Subsection 1 of section 6 of *The Canadian National Exhibition Association Act, 1948*, as amended by subsection 1 of section 1 of *The Canadian National Exhibition Association Act, 1958* and section 1 of *The Canadian National Exhibition Association Act, 1960*, is repealed and the following substituted therefor:

Directors

(1) The Board shall consist of,

*ex officio*  
members

(a) the Minister of Trade and Commerce and the Minister of Agriculture of Canada, the Minister of Economics and Development and the Minister of Agriculture and Food for Ontario, the Chairman of the council of the Municipality and the Mayor of the City of Toronto, each of whom shall be *ex officio* members of the Board;

life  
directors

(b) the past presidents of the Association;

appointed  
directors

(c) ten members of the Municipal Section appointed by the council of the Municipality at its first meeting each year, at least two of whom shall not be members of the council; and

elected  
directors

(d) ten representatives from the General, Manufacturers and Liberal Arts Section and ten representatives from the Agricultural Section, elected by ballot by a majority of the votes of the members present in person and voting at the annual meeting.

(2) Subsection 1a of the said section 6, as enacted by section 1 of *The Canadian National Exhibition Association Act, 1957* and amended by subsection 2 of section 1 of *The Canadian National Exhibition Association Act, 1958*, is repealed and the following substituted therefor:

- (1a) Any of the ministers of the Crown for Canada or Ontario may designate in writing a deputy minister, or other official of his department who is a member of the Association, to be a member of the Board in lieu of the minister, and such designation shall continue to be effective unless revoked in writing by the minister making it so long as such minister continues in office.

Alternate  
directors

(3) Subsection 3 of the said section 6 is amended by striking out "twenty-two" in the second line, so that the subsection shall read as follows:

1948,  
c. 105, s. 6,  
subs. 3,  
amended

- (3) If a vacancy occurs at any time by death, resignation or otherwise among the elected directors, the remaining directors shall fill the vacancy by the appointment of some member of the Association for the remainder of the year.

Vacancies—  
elected  
directors

(4) Subsection 4 of the said section 6 is repealed and the following substituted therefor:

1948,  
c. 105, s. 6,  
subs. 4,  
re-enacted

- (4) If a vacancy occurs among the directors appointed by the council of the Municipality, such vacancy may be filled by such council appointing one or more of its members or some other member of the Municipal Section, as the case may require.

Vacancies—  
appointed  
directors

**6.** Section 10 of *The Canadian National Exhibition Association Act, 1948* is amended by inserting after "addition" in the second line "the Municipality" and by striking out "provided, that a city or county shall not in any one year grant more money than \$5,000, and no other municipality shall in any one year grant more money than \$500" in the eighth, ninth, tenth and eleventh lines, so that the section shall read as follows:

1948,  
c. 105, s. 10,  
amended

10. Any municipality may grant money in aid of the Association, and, in addition, the Municipality, the City of Toronto, the Township of York or the County of York may grant land, or may lend money to the Association, and may effect such loan or grant such land or aid, upon such terms and conditions as may be agreed upon and may recover the money so lent and may appropriate the moneys so recovered to the purposes of the municipality.

Aid from  
municipalities



1948,  
c. 105, s. 11,  
re-enacted

**7.** Section 11 of *The Canadian National Exhibition Association Act, 1948* is repealed and the following substituted therefor:

Agreements  
with muni-  
cipalities

11. The Municipality or any municipality and the Association are hereby authorized to make and enter into agreements relating to the holding of any exhibition or event and the granting and accepting of aid for the same, and for the furnishing and providing of exhibition grounds and buildings suitable for the purpose of the Association, and the council of the Municipality or the council of every such municipality may pass by-laws for any such purpose or for the promotion of any of the purposes of the Association, and all agreements and by-laws now in existence for the purposes aforesaid shall be valid.

Appoint-  
ments  
in 1966

**8.** Upon the coming into force of this Act, the appointment or election of any person to the Board of Directors or to the membership of the Canadian National Exhibition Association other than in accordance with *The Canadian National Exhibition Association Act, 1948*, as amended by this Act, is terminated, and any vacancy so created shall be filled as soon as possible by the authority authorized by that Act to make such appointment.

Commence-  
ment

**9.**—(1) This Act, except sections 1, 3 and 7, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 3 and 7 shall be deemed to have come into force on the 1st day of December, 1965.

Short title

**10.** This Act may be cited as *The Canadian National Exhibition Association Amendment Act, 1966*.



## CHAPTER 166

# An Act respecting the Township of Charlotteville

*Assented to February 18th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the Township of Charlotteville, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The council of the Corporation is hereby authorized to pass By-law No. 843, set forth as the Schedule hereto, authorizing the issue of debentures of the Corporation in the principal amount not exceeding \$268,000, made payable in not more than twenty years, to defray the cost of the erection and equipping of an addition to the Walsh Public School in the school area of the Corporation, and the by-law when duly passed is legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture  
by-law  
authorized

**2.** Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of By-law No. 843 and the debentures to be issued thereunder. Application  
of  
R.S.O. 1960,  
c. 274

**3.** For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order, pursuant to section 63 of *The Public Schools Act* and section 64 of *The Ontario Municipal Board Act*, authorizing the Charlotteville Township School Board to proceed with the erection and equipment referred to in section 1 and authorizing the Corporation to pass By-law No. 843. By-law  
confirmed  
and work  
authorized  
R.S.O. 1960,  
cc. 330, 274

**4.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**5.** This Act may be cited as *The Township of Charlotteville Act, 1966*. Short title

## SCHEDULE

## THE CORPORATION OF THE TOWNSHIP OF CHARLOTTEVILLE

## BY-LAW No. 843

BY-LAW No. 843 of the Corporation of the Township of Charlotteville to authorize the issue of Debentures for Two Hundred and Sixty-eight Thousand Dollars (\$268,000.00) for erection and equipping of an addition to a certain public school in Charlotteville School Area.

WHEREAS Charlotteville Township School Area comprises the whole of the Township of Charlotteville;

AND WHEREAS the Public School Board of Charlotteville Township School Area has applied to the Council of the Township of Charlotteville pursuant to Section 63 of *The Public Schools Act*, for the issue of debentures in the principal sum of \$268,000.00 for the purpose of the erection and equipping of an addition to the Walsh Public School comprising 7 classrooms, 1 library room and 1 general purpose room;

AND WHEREAS the Council of the Township of Charlotteville has approved the said application and for the purposes aforesaid money is to be borrowed by the issue and sale of Debentures of The Corporation of the Township of Charlotteville in the principal amount of \$268,000.00 bearing interest at the rate of Six and one-quarter per centum ( $6\frac{1}{4}\%$ ) per annum which is the amount of the debt intended to be created by this by-law;

THEREFORE the Municipal Council of the Corporation of the Township of Charlotteville enacts as follows:

1. For the purposes aforesaid money shall be borrowed on the credit of the Township of Charlotteville at large by the issue and sale of Debentures of the said Corporation in the principal amount of Two Hundred and Sixty-eight Thousand Dollars (\$268,000.00) bearing interest at the rate of Six and one-quarter per centum ( $6\frac{1}{4}\%$ ) per annum and having coupons attached thereto for the payment of the interest annually.

2. All debentures shall bear the same date, shall be issued at one time during the year 1966 after the date on which this by-law is passed, may bear any date within such period, and shall be payable in annual instalments during the period of twenty years next after the date of issue thereof, and the respective amounts of principal and interest payable in each of such years shall be the amounts so designated in Schedule "A" attached to and forming part of this by-law.

3. The debentures as to both principal and interest shall be payable in lawful money of Canada at the office of the Bank of Montreal in the Town of Simcoe, Ontario, and at the principal offices of the said Bank in each of the Cities of Toronto in the Province of Ontario and Montreal in the Province of Quebec.

4. The said debentures shall be sealed with the Seal of the Corporation and signed by the head of the Council, or by some other person authorized by by-law to sign the same, and by the Treasurer. The said interest coupons shall be signed by the Treasurer and his signature thereon may be written, stamped, lithographed or engraved.

5. Commencing in the year 1967 and in each year thereafter of the currency of the debentures all sums required to pay off the debentures and to pay interest thereon shall be raised by assessment upon the property of ratepayers who are supporters of public schools under the jurisdiction of The Public School Board of Charlotteville Township School Area in accordance with the provisions of *The Public Schools Act* and accordingly

in each year of the currency of the debentures there shall be levied and raised by special rates sufficient therefor over and above all other rates on all the taxable property of ratepayers who are supporters of public schools under the jurisdiction of the said board in the Township of Charlotteville, at the same time and in the same manner as other rates.

6. The debentures to be issued hereunder shall contain the clause set out in Section 323 of *The Municipal Act* permitting the Debentures to be registered as to principal.

7. Pending the issue and sale of Debentures authorized hereby the Reeve and Treasurer may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purposes aforesaid.

READ A FIRST AND SECOND TIME this 22nd day of December, 1965.

JOHN HODGES,  
*Reeve.*

W. K. BINGLEMAN,  
*Clerk.*

JOHN C. CASSELTON, JR.,  
*Councillor.*

READ A THIRD TIME and finally passed this 22nd day of December, 1965.

JOHN HODGES,  
*Reeve.*

W. K. BINGLEMAN,  
*Clerk.*

JOHN C. CASSELTON, JR.,  
*Councillor.*

[SEAL]

*Schedule "A"*

## TO BY-LAW NO. 843 OF

## THE CORPORATION OF THE TOWNSHIP OF CHARLOTTEVILLE

Year	Principal	Interest	Total Annual Payment
1967.....	\$ 7,000.00	\$ 16,750.00	\$ 23,750.00
1968.....	7,000.00	16,312.50	23,312.50
1969.....	8,000.00	15,875.00	23,875.00
1970.....	8,000.00	15,375.00	23,375.00
1971.....	9,000.00	14,875.00	23,875.00
1972.....	10,000.00	14,312.50	24,312.50
1973.....	10,000.00	13,687.50	23,687.50
1974.....	11,000.00	13,062.50	24,062.50
1975.....	11,000.00	12,375.00	23,375.00
1976.....	12,000.00	11,687.50	23,687.50
1977.....	13,000.00	10,937.50	23,937.50
1978.....	14,000.00	10,125.00	24,125.00
1979.....	15,000.00	9,250.00	24,250.00
1980.....	16,000.00	8,312.50	24,312.50
1981.....	17,000.00	7,312.50	24,312.50
1982.....	18,000.00	6,250.00	24,250.00
1983.....	19,000.00	5,125.00	24,125.00
1984.....	20,000.00	3,937.50	23,937.50
1985.....	21,000.00	2,687.50	23,687.50
1986.....	22,000.00	1,375.00	23,375.00
	<u>\$268,000.00</u>	<u>\$209,625.00</u>	<u>\$477,625.00</u>

## CHAPTER 167

# An Act respecting The Excelsior Life Insurance Company

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Excelsior Life Insurance Company, <sup>Preamble</sup> and in French, L'EXCELSIOR, Compagnie d'Assurance-Vie, hereinafter called the Company, by its petition has represented that it was incorporated under the laws of the Province of Ontario by letters patent bearing date August 7, 1889; and whereas the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the petitioner has prayed for special legislation for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subject to authorization by special resolution under <sup>Application to</sup> *The Corporations Act*, the Company may apply to the Parlia- <sup>Parliament of Canada</sup> ment of Canada for a special Act continu- <sup>authorized</sup> ing the Company as if it had been incorporated under the laws of Canada and providing, *inter alia*, that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

**2.** Upon the coming into force of the special Act referred <sup>Application of</sup> to in section 1, the Company shall file with the Provincial <sup>R.S.O. 1960,</sup> Secretary proof of the enactment and coming into force of <sup>c. 71</sup> such special Act, and, on and after the date of the filing of such notice, *The Corporations Act* and any successor thereto ceases to apply to the Company.

**3.** The Provincial Secretary may, on receipt by him of <sup>Certificate</sup> proof of the enactment and coming into force of the special Act referred to in section 1, issue a certificate to the Company confirming the date on which the provisions of section 2 take effect.



Commence-  
ment

**4.** This Act shall be deemed to have come into force on the 1st day of January, 1966.

Short title

**5.** This Act may be cited as *The Excelsior Life Insurance Company Act, 1966*.

## CHAPTER 168

**An Act respecting the  
Gananoque High School District**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the Town of Gananoque <sup>Preamble</sup>  
and The Corporation of the United Counties of Leeds  
and Grenville by their petition have prayed for special legis-  
lation in respect of the matters hereinafter set forth; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** By-law No. 1575 of the Town of Gananoque, set forth <sup>Certain</sup>  
as Schedule A hereto, and By-law No. 2102 of the United <sup>by-laws</sup>  
Counties of Leeds and Grenville, set forth as Schedule B <sup>confirmed</sup>  
hereto, and the agreements forming part thereof are approved,  
ratified and confirmed.

**2.** This Act shall be deemed to have come into force on the <sup>Commence-</sup>  
1st day of January, 1966. <sup>ment</sup>

**3.** This Act may be cited as *The Gananoque High School* <sup>Short title</sup>  
*District Act, 1966.*

## SCHEDULE A

## THE CORPORATION OF THE TOWN OF GANANOQUE

## BY-LAW No. 1575

A BY-LAW to provide for the enlargement of the Gananoque High School District.

WHEREAS *The Secondary Schools and Boards of Education Act*, R.S.O. 1960, Chapter 362, Section 11 (3), provides that the council of a separated town in a county may, by by-law, provide that, subject to the approval of the Minister of Education, the whole or part of a municipality or municipalities adjoining the separated town be added to the high school district of the separated town;

AND WHEREAS the County Council of the United Counties of Leeds and Grenville has, by by-law, discontinued the South West Leeds High School District and added it to the Gananoque district;

NOW THEREFORE the Council of the Corporation of the Town of Gananoque enacts as follows:

1. The Gananoque High School District is hereby enlarged by the addition to it of the municipality and part of a municipality heretofore comprising the South West Leeds High School District as described in Schedule "A" to this by-law.

2. The assets and liabilities, for secondary school purposes, of the municipalities of the South West Leeds High School District as of December 31, 1965, hereby become the assets and liabilities of the citizens of the municipalities comprising the South West Leeds High School District subject to the Agreement which is Schedule "B" to the by-law.

3. This by-law, subject to the approval of the Minister of Education, shall come into force and take effect on the 1st day of January, 1966.

READ A FIRST AND SECOND TIME this 15th day of June, 1965.

I. BERESFORD,  
*Mayor.*

LESLIE F. BOWMAN,  
*Clerk.*

READ A THIRD TIME and finally passed this 24th day of June, 1965.

I. BERESFORD,  
*Mayor.*

LESLIE F. BOWMAN,  
*Clerk.*

(SEAL)

*Schedule A to By-law*

The Township of the Front of Leeds and Lansdowne.

In the Township of Escott, in the County of Leeds, and being composed of:

All that portion of the Township of Front of Escott not included in the Athens High School District, or in the South East Leeds High School District.

*Schedule B to By-law*

AGREEMENT made this 16th day of June, 1965.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF THE FRONT  
OF LEEDS AND LANSDOWNE,  
herein called the Party,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE TOWNSHIP OF THE FRONT  
OF ESCOTT,  
herein called the Party,

OF THE SECOND PART,

— and —

THE CORPORATION OF THE TOWN OF GANANOQUE,  
herein called the Party,

OF THE THIRD PART.

WHEREAS it is proposed to discontinue the South West Leeds High School District and add it to the Gananoque High School District;

AND WHEREAS the by-law for discontinuing the said district provides that the assets and liabilities of the South West Leeds High School District shall become the assets and liabilities of the citizens of the municipalities comprising the South West Leeds High School District;

AND WHEREAS there is a debt outstanding from the South West Leeds High School District to the Corporation of the Town of Gananoque for improper billing for the school for certain years prior to 1965;

NOW THEREFORE the parties hereto, in consideration of mutual promises, agree as follows:

1. The total amount of the debt owing by the South West Leeds District High School Board to the Corporation of the Town of Gananoque shall be determined by agreement of the auditors of The Town of Gananoque, The Township of the Front of Escott, and The Township of the Front of Leeds and Lansdowne and shall be allotted proportionately by the said auditors to the respective Townships. If the said auditors should fail to agree, on or before the 1st day of July, 1965, the matter shall be referred to the Judge of the County Court of the United Counties of Leeds and Grenville. The decision of the auditors or of the County Judge, as the case may be, shall be final and binding upon the parties hereto.

2. The amount found to be due shall be paid by the debtor municipalities not later than the 3rd day of December, 1967, to the Town of Gananoque, and each debtor municipality shall pay not less than one-third of the amount owing by it in each of the years 1965, 1966 and 1967, with the privilege of prepayment in whole or in part at any time. Interest at the rate of  $5\frac{3}{4}\%$  on the full amount from time to time outstanding calculated from the 1st day of January, 1966, shall be payable on the 31st day of December in each year.

3. Adjustments for operating expenses for the year 1965 shall be made as of 31st December, 1965.

4. If the South West Leeds High School District shall not be discontinued and added to the Gananoque High School District, then this Agreement shall be null and void, otherwise shall continue in full force and effect.



IN WITNESS WHEREOF the parties hereto have hereunto set their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP  
OF LEEDS AND LANSDOWNE:

ROY BRECKENRIDGE,  
*Reeve.*

(SEAL)

R. M. BURNS,  
*Clerk.*

THE CORPORATION OF THE TOWNSHIP  
OF FRONT OF ESCOTT:

CLIFFORD E. BIRTCH,  
*Reeve.*

(SEAL)

H. L. MALLORY,  
*Clerk.*

THE CORPORATION OF THE TOWN OF  
GANANOQUE:

I. BERESFORD,  
*Mayor.*

(SEAL)

LESLIE F. BOWMAN,  
*Clerk.*

## SCHEDULE B

THE CORPORATION OF THE UNITED COUNTIES  
OF LEEDS AND GRENVILLE

## BY-LAW No. 2102

A BY-LAW to provide for the discontinuance of the South West Leeds High School District.

WHEREAS *The Secondary Schools and Boards of Education Act*, R.S.O. 1960, Chapter 362, provides that, subject to the approval of the Minister of Education, the council of a county may discontinue a High School District and add it to another High School District;

AND WHEREAS it is desirable to discontinue the South West Leeds High School District and add it to the Gananoque High School District;

NOW THEREFORE the Council of the Corporation of the United Counties of Leeds and Grenville enacts as follows:

1. The South West Leeds High School District, as described in Schedule "A" hereto, is hereby discontinued, and added to the Gananoque High School District.

2. The assets and liabilities for secondary school purposes of the municipalities of the South West Leeds High School District, as of December 31, 1965, hereby become the assets and liabilities of the citizens of the municipalities comprising the South West Leeds High School District, subject to the Agreement which is Schedule "B" to this by-law.

3. This by-law, subject to the approval of the Minister of Education, shall come into force and take effect on the 1st day of January, 1966.

READ A FIRST AND SECOND TIME this 16th day of June, 1965.

WM. G. BURCHELL,  
Warden.

W. R. JOHNSON,  
Clerk.

READ A THIRD TIME and finally passed this 17th day of June, 1965.

WM. G. BURCHELL,  
Warden.

W. R. JOHNSON,  
Clerk.

(SEAL)

*Schedule A to By-law*

The Township of the Front of Leeds and Lansdowne.

In the Township of Escott, in the County of Leeds, and being composed of:

All that portion of the Township of Front of Escott not included in the Athens High School District, or in the South East Leeds High School District.

*Schedule B to By-law*

AGREEMENT made this 16th day of June, 1965.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF THE FRONT  
OF LEEDS AND LANSDOWNE,  
herein called the Party,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE TOWNSHIP OF THE FRONT  
OF ESCOTT,  
herein called the Party,

OF THE SECOND PART,

— and —

THE CORPORATION OF THE TOWN OF GANANOQUE,  
herein called the Party,

OF THE THIRD PART.

WHEREAS it is proposed to discontinue the South West Leeds High School District and add it to the Gananoque High School District;

AND WHEREAS the by-law for discontinuing the said district provides that the assets and liabilities of the South West Leeds High School District shall become the assets and liabilities of the citizens of the municipalities comprising the South West Leeds High School District;

AND WHEREAS there is a debt outstanding from the South West Leeds High School District to the Corporation of the Town of Gananoque for improper billing for the school for certain years prior to 1965;

NOW THEREFORE the parties hereto, in consideration of mutual promises, agree as follows:

1. The total amount of the debt owing by the South West Leeds District High School Board to the Corporation of the Town of Gananoque shall be determined by agreement of the auditors of The Town of Gananoque, The Township of the Front of Escott, and The Township of the Front of Leeds and Lansdowne and shall be allotted proportionately by the said auditors to the respective Townships. If the said auditors should fail to agree, on or before the 1st day of July, 1965, the matter shall be referred to the Judge of the County Court of the United Counties of Leeds and Grenville. The decision of the auditors or of the County Judge, as the case may be, shall be final and binding upon the parties hereto.

2. The amount found to be due shall be paid by the debtor municipalities not later than the 3rd day of December, 1967, to the Town of Gananoque, and each debtor municipality shall pay not less than one-third of the amount owing by it in each of the years 1965, 1966 and 1967, with the privilege of prepayment in whole or in part at any time. Interest at the rate of 5¾% on the full amount from time to time outstanding calculated from the 1st day of January, 1966, shall be payable on the 31st day of December in each year.

3. Adjustments for operating expenses for the year 1965 shall be made as of 31st December, 1965.

4. If the South West Leeds High School District shall not be discontinued and added to the Gananoque High School District, then this Agreement shall be null and void, otherwise shall continue in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto set their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP  
OF LEEDS AND LANSDOWNE:

ROY BRECKENRIDGE,  
*Reeve.*

(SEAL)

R. M. BURNS,  
*Clerk.*

THE CORPORATION OF THE TOWNSHIP  
OF FRONT OF ESCOTT:

CLIFFORD E. BIRTCH,  
*Reeve.*

(SEAL)

H. L. MALLORY,  
*Clerk.*

THE CORPORATION OF THE TOWN OF  
GANANOQUE:

I. BERESFORD,  
*Mayor.*

(SEAL)

LESLIE F. BOWMAN,  
*Clerk.*





## CHAPTER 169

**An Act respecting  
The Greater Niagara General Hospital**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Greater Niagara General Hospital by Preamble  
its petition has prayed that special legislation be  
passed amending *The Greater Niagara General Hospital Act,*  
*1951* in respect of the matters hereinafter set forth; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. Section 3 of *The Greater Niagara General Hospital Act,* <sup>1951,</sup>  
*1951* is repealed and the following substituted therefor: <sup>c. 102, s. 3,</sup>  
<sup>re-enacted</sup>
3. The persons constituting the corporation shall be <sup>Constitution</sup>  
the following: two representatives from the muni- <sup>of</sup> corporation  
cipal council of the City of Niagara Falls, one  
representative from the municipal council of the  
Village of Chippawa and one representative from the  
county council of the County of Welland, such  
municipal representatives to be members of their  
respective councils; one representative of the Province  
of Ontario; two representatives of the Medical Staff  
of The Greater Niagara General Hospital; one  
representative of the Senior Women's Hospital  
Auxiliary; one representative of the Junior Women's  
Hospital Auxiliary; twelve members elected by The  
Greater Niagara General Hospital Association; three  
members appointed by those members already  
selected as provided by this section.
2. Clauses *a* and *b* of section 4 of *The Greater Niagara* <sup>1951,</sup>  
*General Hospital Act, 1951* are repealed and the following <sup>c. 102, s. 4,</sup>  
substituted therefor: <sup>cls. a, b,</sup>  
<sup>re-enacted</sup>
  - (a) The representatives of the said municipal councils,  
the Province of Ontario, the Hospital Medical Staff,

the

the Senior Women's Hospital Auxiliary and the Junior Women's Hospital Auxiliary shall hold office for a term of one year.

- (b) Of the new members to be elected for the year 1966 by The Greater Niagara General Hospital Association, the four persons receiving the greatest number of votes shall hold office for a term of three years, the person receiving the next greatest number of votes shall hold office for a term of two years, and the remaining person elected shall hold office for a term of one year, and thereafter there shall be elected annually four persons to hold office for a term of three years, and no such member shall hold office for more than two consecutive terms of three years each, provided that such a member may be re-elected after a lapse of one year.

1951,  
c. 102,  
ss. 6, 7,  
re-enacted

**3.** Sections 6 and 7 of *The Greater Niagara General Hospital Act, 1951* are repealed and the following substituted therefor:

Vacancies

6. Upon a vacancy occurring by death, resignation or otherwise in the office of any of the board, other than those appointed by the three municipal councils, the Province of Ontario, the Hospital Medical Staff, the Senior Women's Hospital Auxiliary and the Junior Women's Hospital Auxiliary, a successor shall be appointed by the board.

Idem

7. The board may, by resolution passed by a two-thirds vote of the members present at a meeting duly called for that purpose, declare the seat of any member, other than those members appointed by the three municipal councils, the Province of Ontario, the Hospital Medical Staff, the Senior Women's Hospital Auxiliary and the Junior Women's Hospital Auxiliary, to be vacant.

1951,  
c. 102, s. 13,  
re-enacted

**4.** Section 13 of *The Greater Niagara General Hospital Act, 1951* is repealed and the following substituted therefor:

Purposes of  
corporation

13. The purposes of the corporation, so far as it may be possible, shall be to carry on the said hospital and all other hospitals, sanatoria or other similar institutions that it may establish, undertake or carry on in perpetuity for the benefit and advantage of the inhabitants of the City of Niagara Falls and the Village of Chippawa.

**5.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent.<sub>ment</sub>

**6.** This Act may be cited as *The Greater Niagara General* <sup>Short title</sup>  
*Hospital Act, 1966.*





## CHAPTER 170

**An Act to establish  
The Guelph District Board of Education**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Board of Education for the City of <sup>Preamble</sup>  
Guelph and The Public School Board of the Township  
School Area of the Township of Guelph by their petition have  
represented that they are desirous of providing a board of  
education having jurisdiction and control over all public  
elementary and secondary schools within the City of Guelph  
and the Township of Guelph; and whereas the petitioners  
have prayed for special legislation in respect of such matter;  
and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** A board of education, to be known as "The Guelph <sup>Guelph  
District  
Board of  
Education  
established</sup>  
District Board of Education", is hereby established, with  
jurisdiction over all public elementary and secondary schools  
in the City of Guelph and the Township of Guelph, and for  
the purposes of any Act such Board shall be deemed to have  
been established under *The Secondary Schools and Boards of* <sup>R.S.O. 1960,  
c. 362</sup>  
*Education Act*, and the City of Guelph and the Township  
of Guelph shall constitute a public school section and a high  
school district.

**2.** The Guelph District Board of Education shall for the <sup>Composition  
of Board in  
1966 and  
1967</sup>  
years 1966 and 1967 be composed of,

- (a) the eight members elected to The Board of Education  
for the City of Guelph at the last election held in  
the City of Guelph before this Act comes into force;
- (b) one member appointed by the council of the Town-  
ship of Guelph after this Act comes into force; and
- (c) one member appointed by the Board of the Combined  
Roman Catholic Separate Schools of Guelph after  
this Act comes into force.

Composition  
of Board  
after 1967

**3.**—(1) For the year 1968 and subsequent years, The Guelph District Board of Education shall be composed of,

(a) the total number of members to which the City of Guelph and the Township of Guelph are entitled under *The Secondary Schools and Boards of Education Act*, who shall be elected by the general vote of the persons qualified to vote for public school trustees in the area comprising the City of Guelph and the Township of Guelph, in accordance with *The Secondary Schools and Boards of Education Act*; and

(b) the number of members appointed by the Board of the Combined Roman Catholic Separate Schools of Guelph that such Board is entitled to appoint under *The Secondary Schools and Boards of Education Act*.

R.S.O. 1960,  
c. 362

Township  
of Guelph  
attached  
to City of  
Guelph for  
purpose of  
election

(2) For the purposes of the election referred to in subsection 1, the Township of Guelph shall be deemed to be attached to the City of Guelph, and the clerk of the Township of Guelph shall provide the clerk of the City of Guelph with a copy of the list of persons qualified to vote for public school trustees in the Township of Guelph.

Wellington

**4.** The County of Wellington is not entitled to appoint a member to The Guelph District Board of Education.

Assets  
vested in  
Guelph  
District  
Board of  
Education

**5.**—(1) All assets and liabilities of The Board of Education for the City of Guelph and of The Public School Board of the Township School Area of the Township of Guelph shall, upon the coming into force of this Act, be the assets and liabilities of The Guelph District Board of Education.

Adjustment  
of assets  
of high  
school board

(2) The Township of Guelph is detached from the Guelph Suburban High School District and the assets and liabilities of the board shall be valued and adjusted in accordance with section 15 of *The Secondary Schools and Boards of Education Act*.

Issue of  
debentures

**6.**—(1) All debentures issued for the construction of elementary or secondary schools, or additions thereto, shall be issued by The Corporation of the City of Guelph.

Idem

(2) The council of the City of Guelph shall be deemed to be a majority for the purposes of subsection 4 of section 31 of *The Secondary Schools and Boards of Education Act* and subsection 4 of section 63 of *The Public Schools Act*.

R.S.O. 1960,  
cc. 362, 330

R.S.O. 1960,  
cc. 361, 362,  
330, etc.,  
apply

**7.** The provisions of *The Schools Administration Act*, *The Secondary Schools and Boards of Education Act*, *The Public Schools Act* and any other general or special Act, as

they apply to a district board of education and are not inconsistent with the provisions of this Act, apply to The Guelph District Board of Education.

**8.** This Act shall be deemed to have come into force on the <sup>Commence-</sup>  
1st day of January, 1966.<sub>ment</sub>

**9.** This Act may be cited as *The Guelph District Board of* <sup>Short title</sup>  
*Education Act, 1966.*



## CHAPTER 171

## An Act respecting the City of Hamilton

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Hamilton <sup>Preamble</sup> by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsections 1 and 2 of section 3 of *The City of Hamilton Act, 1960* are repealed and the following sub-<sup>1960, c. 142, s. 3, subss. 1, 2, re-enacted</sup>stituted therefor:

(1) The Commission shall be a body corporate and shall <sup>Composition of Commission</sup> consist of five members, one of whom shall be the Mayor of the City of Hamilton, or his appointee who shall be a member of the Council, and four of whom shall be residents of the City of Hamilton or of municipalities adjacent thereto and who shall be appointed by the Council on the nomination of the board of control, and the four members so appointed shall hold office for three years concurrently and until their successors are appointed.

(2) The term of office of any member of the Commission, <sup>Termination of office</sup> except the Mayor of the City of Hamilton or his appointee, may at any time be terminated, upon the recommendation of the board of control, by by-law of the Council passed by a vote of at least two-thirds of the members of the Council.

(2) Subsection 5 of the said section 3 is repealed and the <sup>1960, c. 142, s. 3, subss. 5, re-enacted</sup> following substituted therefor:

(5) Except for the Mayor of the City of Hamilton or his <sup>Council members not eligible</sup> appointee, no member of the Council is eligible to be appointed a member of the Commission during

his



his term of office or, in the event that he shall have for any reason ceased to be a member of the Council, during the unexpired term for which he was elected.

Tax credit  
to old age  
pensioners

2.—(1) Notwithstanding any general or special Act, the council of The Corporation of the City of Hamilton may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of seventy years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), provided, however, that no such credit,

R.S.C. 1952,  
c. 200

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year;
- (c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable;
- (d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the City of Hamilton for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or
- (e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws  
for adminis-  
tration

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

3.—(1) In this section, “special sale” means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

Interpre-  
tation

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

(2) The council of The Corporation of the City of Hamilton may pass by-laws,

By-laws  
regulating  
special  
sales

- (a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;
- (b) prescribing the conditions on which licences may be issued and revoked, and providing for the revocation of such licences;
- (c) fixing a fee for such licences; and
- (d) for appointing inspectors and providing for the inspection of such goods.

(3) A by-law under this section does not apply to a sale by or under the authority of,

Exemptions

- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada);
- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator; or
- (d) a receiver, liquidator or trustee under any general or special Act.

R.S.C. 1952,  
c. 14, 296

(4) The provisions of Part XXI of *The Municipal Act* apply *mutatis mutandis* to any by-law passed under this section.

R.S.O. 1960,  
c. 249,  
Part XXI,  
applies

Grant to  
Hamilton  
S.P.C.A.

4. The council of The Corporation of the City of Hamilton may by by-law grant aid totalling an amount not exceeding \$64,000 to the Hamilton Society for the Prevention of Cruelty to Animals to assist the Society in constructing a new animal shelter in the City of Hamilton.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1966*.

CHAPTER 172

An Act respecting the City of Hamilton

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Hamilton <sup>Preamble</sup>  
by its petition has prayed for special legislation in  
respect of the matter hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** The Agreement made between The Corporation of the <sup>Agreement</sup>  
City of Hamilton, Salada Foods Ltd. and The Salada Planet- <sup>with Salada</sup>  
arium Foundation of Hamilton, dated the 18th day of Febru- <sup>Foods Ltd.</sup>  
ary, 1966, set forth as the Schedule hereto, is hereby ratified <sup>and The</sup>  
and confirmed and declared to be legal, valid and binding <sup>Salada</sup>  
upon the parties thereto, and the said parties are hereby <sup>Planetarium</sup>  
empowered to carry out their respective obligations and <sup>Foundation</sup>  
exercise their respective privileges thereunder. <sup>of Hamilton</sup>  
<sup>ratified</sup>

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent. <sup>ment</sup>

**3.** This Act may be cited as *The City of Hamilton Act*, <sup>Short title</sup>  
1966 (No. 2).

## SCHEDULE

THIS AGREEMENT made this 18th day of February, 1966.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter called the "City"),

OF THE FIRST PART,

— and —

SALADA FOODS LTD., a company incorporated under  
the laws of Canada  
(hereinafter called "Salada"),

OF THE SECOND PART,

— and —

THE SALADA PLANETARIUM FOUNDATION OF HAMILTON,  
a company incorporated under the laws of the Province  
of Ontario  
(hereinafter called the "Foundation"),

OF THE THIRD PART.

WHEREAS the City proposes to redevelop as an urban renewal project the area north of its City Hall, which area is hereinafter referred to as the Civic Square area; and

WHEREAS the City is desirous of including a planetarium in the redevelopment of the Civic Square area; and

WHEREAS the City and Salada have agreed to the incorporation of a Foundation by the name of The Salada Planetarium Foundation of Hamilton with authority to supervise the operation of the proposed planetarium and to receive from Salada an annual capital grant equal to the net profits therefrom; and

WHEREAS Salada has offered to construct a planetarium in the Civic Square area and to equip the same; and

WHEREAS the City has agreed, subject to obtaining the requisite approvals of the Minister of Municipal Affairs and the Ontario Municipal Board and to obtaining the approval and validation of this agreement from the Legislature of the Province of Ontario, to acquire the necessary lands, to lease the said lands to the Foundation for lease in turn to Salada, to waive municipal taxes and to provide improvements and amenities in the surrounding Civic Square area;

NOW THEREFORE THESE PRESENTS WITNESS that in consideration of the respective covenants and agreements hereinafter set out, the parties hereby covenant and agree as follows:

1. In this agreement the following terms shall have the following respective meanings:

- (a) "planetarium site" means lands of an area not exceeding 6,000 square feet approximately, straddling a north-south axis drawn through the Council Chambers of the City Hall and lying north of Main Street West, and south of King Street West, in the City of Hamilton;
- (b) "planetarium" means a dome-shaped planetarium including a 155-seat auditorium to be constructed and owned by Salada



on the planetarium site, in accordance with plans and specifications to be prepared by Salada, subject to the architectural approval and planning approval of the City;

- (c) "lease" means a lease of the planetarium site drawn in pursuance of *The Short Forms of Leases Act* with such variation only as may be required by the terms of this agreement between the City as lessor and the Foundation as lessee for a term of 99 years at a nominal annual rental of One Dollar;
- (d) "sub-lease" means a sub-lease of the planetarium site drawn in pursuance of *The Short Forms of Leases Act* with such variation only as may be required by the terms of this agreement between the Foundation as lessor and Salada as lessee for a term of 99 years less one day at a nominal annual rental of One Dollar;
- (e) "net profits from the planetarium" means the gross revenue derived by Salada in a year's period from the operation of the planetarium and any facilities operated by Salada in the planetarium including any restaurant and souvenir concessions, less the aggregate of the following:
  - (i) all of the expenses incurred in such period of the operation of the planetarium and of such facilities which are properly chargeable to current earnings in accordance with accepted accounting principles,
  - (ii) the expenses incurred in such period of creating, constructing and setting up any exhibits in the planetarium,
  - (iii) an amount determined by Salada but not exceeding 20% of the unamortized capital cost to Salada of the planetarium and all extensions thereto and of all capital equipment owned by Salada and situate therein, calculated on a reducing balance basis.

2. As quickly as may be possible after the execution of this agreement, the City will:

- (a) apply to the Minister of Municipal Affairs for authority to acquire the lands in the block bounded by Main Street West, Park Street, King Street West and Charles Street for redevelopment purposes;
- (b) apply to the Ontario Municipal Board for approval of its redevelopment plan for the Civic Square area;
- (c) negotiate agreements with Her Majesty the Queen in the right of Ontario, for the sharing of the cost of acquiring, clearing and grading the lands in the Civic Square area and providing the services for its redevelopment;
- (d) apply to the Ontario Municipal Board for approval of the acquisition of the lands in the block bounded by Main Street West, Park Street, King Street and Charles Street and of the financing of the net cost thereof to the City by the issue of debentures for a term not to exceed 20 years;
- (e) petition the Honourable the Lieutenant Governor of Ontario and the Honourable the Legislative Assembly of the Province of Ontario that a Private Act be enacted to authorize and validate this agreement and each and every provision thereof.

3. As soon as the requisite approvals have been obtained and this agreement has been validated and confirmed by Special Act of the Legislature of the Province of Ontario, the City will take steps to acquire and clear the planetarium site and to close Park Street so that construction of the planetarium may proceed.

4. Upon ten days notice in writing, sent by prepaid registered mail to each of them, that the City has acquired and cleared the planetarium site, the Foundation and Salada will enter into the lease and sub-lease, provided that if such notice is not given on or before the 1st day of September, 1966, Salada may, by its notice in writing sent to the City by prepaid registered mail on or before the 30th day of September, 1966, elect to withdraw from this agreement and in the event that it so elects this agreement and all rights thereunder shall automatically terminate.

5. As quickly as may be possible after the lease and sub-lease have been entered into, Salada will construct on the planetarium site a planetarium designed for it by its architect in consultation with Mr. Philip Stern, Director of the Museum of Art, Science and Industry, Bridgeport, Connecticut. The architectural design of the planetarium shall be subject to approval by the City and its final location shall be subject to approval of the City upon the advice of its planning consultant, Mr. Murray V. Jones. The planetarium shall contain all necessary facilities including, but without limiting the generality of the foregoing, in addition to the auditorium, space for exhibits, a workshop, offices, lavatories, and a foyer for groups to assemble. There may be contained in the same building a restaurant to be independently operated by Salada. The planetarium shall be equipped with Goto Model M-1 planetarium projector with control and auxiliary systems as designed by Mr. Philip Stern.

6. The board of directors of the Foundation shall consist of five persons and the City shall be entitled to appoint two of such persons, who shall not be members of City Council, and Salada shall be entitled to appoint three persons from members of its management group.

7. The Foundation shall supervise the operation of the planetarium, but shall not receive any fee or other consideration for such supervision.

8. Salada will, subject to the supervision of the Foundation, operate the planetarium and will be responsible for any losses which may be incurred in its operation.

9. Salada will in each year make a payment in the form of a capital grant to the Foundation in the amount of the greater of:

(a) Five Thousand Dollars; or

(b) an amount equal to the net profits from the planetarium.

10. The planetarium shall while this agreement remains in effect and subject to the provisions of paragraph number 15 of this agreement be called the Salada Planetarium.

11. Salada shall have the right at any time during the term of the sub-lease or any extension or renewal thereof to elect to sell the planetarium and its equipment and any extensions thereto, other than restaurant equipment that may be installed, to the City, for the price of \$100.00, and in the event that Salada elects to do so the City agrees to purchase the same at that price.

12. In the event that Salada elects to sell the planetarium to the City, the transaction of purchase and sale shall be completed within thirty days after notice of such election has been sent to the City by prepaid registered mail, provided that Salada shall have a reasonable length of time to remove the restaurant equipment at its own expense.

13. Upon completion of the purchase of the planetarium by the City, the lease, sub-lease, and all obligations of Salada under this agreement shall automatically be terminated, but there shall be no obligation upon the City to make any grants to the Foundation.

14. Salada having fulfilled its covenants under the sub-lease and any extension or renewal thereof, and having abided by and fulfilled its covenants and agreements as herein contained, it may, within six months

of the date of expiration of the sub-lease and any extension or renewal thereof, remove the planetarium, its equipment and any extension thereto, provided that it leaves the planetarium site in a clean, levelled and graded condition.

15. That in the event of the sale of the planetarium to the City or its removal the name of the Foundation and of the planetarium, or either of them, shall be changed if either the City or Salada so requests so that the word Salada no longer forms a part thereof.

16. The City will within twelve months after the completion of the planetarium acquire the balance of the block bounded by Main Street West, Park Street, King Street West and Charles Street, lying to the south of the planetarium and will clear, level and grade that area.

17. The City will within a reasonable length of time after completion of the planetarium landscape the area immediately surrounding the planetarium and will be responsible to care for and keep in public ownership the lands affording direct access to King Street West on the north, and Main Street West on the south.

18. The City shall provide sewer and water service to the planetarium site at such time as these may be required to permit of its construction and operation, but shall not be responsible for the cost of the connection to the City's sewer and watermain, nor for the cost of water actually supplied.

19. The City will within a reasonable length of time after completion of the planetarium erect a parking garage in the vicinity of McNab Street for the accommodation of at least 500 cars, or in such other location and for the accommodation of such number of cars as may be agreed upon, and will until such garage is erected provide adequate alternative parking accommodation to serve the planetarium, including accommodation for buses.

20. The City will waive all real property taxes to which it might otherwise have been entitled upon the planetarium site and planetarium, during the term of this agreement and during the term of the lease and sub-lease or any extension or renewal thereof.

21. The City will prohibit the vending of souvenirs, refreshments, novelties, descriptive literature and like items upon its lands immediately surrounding the planetarium and lying between it and Main Street West and King Street West.

22. The City will enact such by-laws and amend where necessary any of its existing by-laws to permit of the erection of the planetarium and to permit the City to fulfil its obligations hereunder.

23. Any notice, advice or other writing given pursuant to or for the purposes of this agreement shall be sufficiently given if delivered to the party to whom it is addressed or mailed as hereinbefore set out to such party:

- (a) in the case of notice to the City, to the Clerk thereof at the City Hall, Hamilton, Ontario;
- (b) in the case of notice to Salada, to it at 855 York Mills Road, Don Mills, Ontario; and
- (c) in the case of notice to the Foundation, to it at 855 York Mills Road, Don Mills, Ontario.

24. This agreement shall enure to the benefit of and be binding upon the successors and assigns of Salada, the City and the Foundation.

25. Time shall be of the essence of this agreement.

IN WITNESS WHEREOF the parties hereto have duly executed this agreement.

APPROVED:

C. R. DEMARAY,  
*City Solicitor.*

SEAL

THE CORPORATION OF THE CITY OF  
HAMILTON:

VICTOR K. COPPS,  
*Mayor.*

E. A. SIMPSON,  
*City Clerk.*

SALADA FOODS LTD.:

ARTHUR E. BEEBY,  
*President.*

H. G. TAIT,  
*Vice-President.*

SEAL

THE SALADA PLANETARIUM FOUNDA-  
TION OF HAMILTON:

ARTHUR E. BEEBY,  
*President.*

H. G. TAIT,  
*Vice-President.*

SEAL



CHAPTER 173

An Act respecting Huntington University

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS Huntington University by its petition has Preamble  
represented that it is desirous of increasing the number  
of members on its Board of Regents from seventeen to a  
maximum of twenty-five for the purpose of providing better  
government and management of the affairs of the University;  
and whereas the petitioner has prayed for special legislation  
to effect such purpose; and whereas it is expedient to grant the  
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** Sections 11 and 12 of *The Huntington University Act*, 1960,  
c. 143,  
ss. 11, 12,  
re-enacted  
1960 are repealed and the following substituted therefor:

11. The Board shall consist of, Board,  
composition

- (a) the President, *ex officio*;
- (b) twelve persons appointed by the General  
Council of The United Church of Canada who  
shall hold office until their successors are  
appointed at the next succeeding meeting of  
the General Council; and
- (c) such number of members, not exceeding  
twelve, as the Board may prescribe by by-law,  
elected by the Board for a term of up to four  
years in such manner as the Board may pre-  
scribe by by-law.

12. The members of the Board in office when this section Present  
members  
comes into force may continue in office until their  
successors are elected or appointed in accordance  
with this Act or the by-laws of the Board.



Commence-  
ment        **2.** This Act comes into force on the day it receives Royal Assent.

Short title        **3.** This Act may be cited as *The Huntington University Act, 1966*.

## CHAPTER 174

**An Act respecting  
The Kenora Rink Company Limited**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Kenora Rink Company Limited, herein <sup>Preamble</sup> called the Company, by its petition has represented that it was incorporated by letters patent on the 27th day of October, 1919, for the purpose of carrying on a community ice skating and hockey rink, that the Company has been operating at a deficit and it is desirable that the real property and other assets of the Company be transferred to The Corporation of the Town of Kenora and that the Company be dissolved; and whereas the Town of Kenora has agreed by resolution to accept such transfer of the real property and other assets and to apply the proceeds of any subsequent sale of the property and assets against any arrears of taxes against such property and to use any balance to assist in providing public recreation facilities in the Town of Kenora; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Company is hereby dissolved and the shareholders <sup>Company dissolved</sup> thereof are not entitled to any share in the assets of the Company.

**2.—(1)** Subject to subsection 2, the property and assets of <sup>Assets of Company vested in Town</sup> the Company are hereby vested in The Corporation of the Town of Kenora.

**(2)** On and after the day upon which this Act comes into <sup>Assets subject to liabilities</sup> force, all rights of creditors against the property and assets of the Company and all liens upon its property and assets remain unimpaired, and all debts and liabilities of the Company attach to The Corporation of the Town of Kenora and may be enforced against it to the extent of the property and assets hereby vested in The Corporation of the Town of Kenora.

Transfer  
of title

R.S.O. 1960,  
cc. 348, 204,  
34

**3.** For the purposes of *The Registry Act, The Land Titles Act, The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act to show the transfer or transmission of title from the Company to The Corporation of the Town of Kenora and the vesting therein of any lands or any interest in lands or personal property.

Use of  
proceeds  
of sale  
of assets

**4.** Any proceeds of the sale of the property and assets of the Company remaining after the payment of all debts and liabilities of the Company shall be used by The Corporation of the Town of Kenora to assist in providing public recreation facilities in the Town of Kenora.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** This Act may be cited as *The Kenora Rink Company Limited Act, 1966*.

## CHAPTER 175

# An Act respecting L'Institut Canadien Français de la Cité d'Ottawa

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS L'Institut Canadien Français de la Cité d'Ottawa by its petition has prayed for special legislation with respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *An Act to incorporate L'Institut Canadien Français de la Cité d'Ottawa*, as re-enacted by section 2 of *An Act to amend the Acts respecting L'Institut Canadien Français de la Cité d'Ottawa*, and to extend the powers of the said corporation, is repealed and the following substituted therefor:

1865,  
c. 97, s. 9  
(1875-76,  
c. 104, s. 2),  
re-enacted

9. The corporation is authorized if it sees fit to sell and convey or to lease or otherwise dispose of the whole or any portion of any real property situated in the City of Ottawa and to apply the proceeds thereof to the purchase of, or payment for, any other real property in such City necessary for its purposes, or to the construction thereon of a building or buildings for its own accommodation, and, subject to *The Mortmain and Charitable Uses Act*, the corporation may from time to time acquire, hold and possess such other estate in land as it deems necessary, and may alienate and dispose of the same from time to time.

Power to  
sell certain  
real property

R.S.O. 1960,  
c. 246

2. Section 3 of *An Act to amend the Act to incorporate L'Institut Canadien Français de la Cité d'Ottawa*, as re-enacted by section 3 of *An Act to amend the Acts respecting L'Institut Canadien Français de la Cité d'Ottawa*, and to extend the powers of the said corporation, is repealed and the following substituted therefor:

1866,  
c. 139, s. 3  
(1875-76,  
c. 104, s. 3),  
re-enacted

3. Notwithstanding *An Act to incorporate L'Institut Canadien Français de la Cité d'Ottawa*, the corporation

Corporation  
may effect  
loans and  
grant  
mortgages  
1865, c. 97

may

may borrow any sum of money it may require from time to time, not exceeding a total of \$550,000 at one time, for the purpose of,

- (a) erecting or purchasing its building or buildings;
- (b) paying or continuing any loan or mortgage or completing its building or buildings or otherwise improving or enlarging the same; or
- (c) any other matter connected with the maintenance of the corporation,

and, for securing the repayment of such borrowed money, the corporation may grant a mortgage or mortgages on its real property under the corporate seal thereof and signed by the president, treasurer and recording-secretary.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *L'Institut Canadien Français de la Cité d'Ottawa Act, 1966*.



CHAPTER 176

An Act respecting  
The Board of Education for the City of London

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**W**HEREAS The Board of Education for the City of <sup>Preamble</sup>  
London by its petition has prayed for special legislation  
in respect of the matters hereinafter set forth; and whereas  
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** The lands described in Schedule A hereto are hereby <sup>Lands</sup>  
vested in The Corporation of the City of London in fee simple, <sup>vested in</sup>  
subject to a right of way of ingress and egress for all purposes <sup>City of</sup>  
in favour of The Board of Education for the City of London. <sup>London</sup>

**2.** The lands described in Schedule B hereto are hereby <sup>Lands</sup>  
vested in The Board of Education for the City of London in <sup>vested in</sup>  
fee simple. <sup>Board</sup>

**3.** The secretary of The Board of Education for the City <sup>Registration</sup>  
of London shall register a copy of this Act within sixty days  
after it comes into force in the registry office for the Registry  
Division of the East and North ridings of the County of  
Middlesex.

**4.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent. <sup>ment</sup>

**5.** This Act may be cited as *The London Board of Education* <sup>Short title</sup>  
*Act, 1966.*

## SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of Part of Block "G" according to Registered Plan No. 864, which parcel may be more particularly described as follows:

PREMISING that all bearings are referred to the bearings shown on Registered Plan No. 864:

COMMENCING in said Block "G" at a point distant 12.2 feet easterly therealong from the southwest angle of Lot No. 254 according to said Plan and distant also 15 feet southerly from the northerly limit of Block "G" measured at right angles thereto; thence South  $6^{\circ} 22' 30''$  East 403.43 feet; thence North  $83^{\circ} 37' 30''$  East 102.35 feet; thence North  $6^{\circ} 22' 30''$  West 210.83 feet; thence North  $83^{\circ} 37' 30''$  East 58.45 feet; thence North  $6^{\circ} 22' 30''$  West 192.60 feet to a point distant 15 feet southerly from the northerly limit of said Block "G"; thence South  $83^{\circ} 37' 30''$  West along the northerly limit of said Block, 160.8 feet to the place of beginning.

TOGETHER WITH A RIGHT-OF-WAY along, over and upon that Part of Block "G" more particularly described as follows:

COMMENCING in said Block "G" at a point distant 12.2 feet easterly therealong from the southwest angle of Lot No. 254 according to said Plan and distant also 15 feet southerly from the northerly limit of Block "G" measured at right angles thereto; thence South  $6^{\circ} 22' 30''$  East 403.43 feet; thence North  $83^{\circ} 37' 30''$  East 102.35 feet; thence North  $6^{\circ} 22' 30''$  West 210.83 feet; thence North  $83^{\circ} 37' 30''$  East 58.45 feet; thence North  $6^{\circ} 22' 30''$  West 192.60 feet to a point distant 15 feet southerly from the northerly limit of said Block "G"; thence North  $83^{\circ} 37' 30''$  East 10 feet; thence North  $6^{\circ} 22' 30''$  West 15 feet to the northerly limit of said Block "G"; thence South  $83^{\circ} 37' 30''$  West along the northerly limit of said Block, 280.8 feet; thence South  $6^{\circ} 22' 30''$  East 15 feet; thence North  $83^{\circ} 37' 30''$  East 100 feet; thence South  $6^{\circ} 22' 30''$  East 428.43 feet; thence North  $83^{\circ} 37' 30''$  East 122.35 feet; thence North  $6^{\circ} 22' 30''$  West 210.83 feet; thence North  $83^{\circ} 37' 30''$  East 58.45 feet; thence North  $6^{\circ} 22' 30''$  West 202.6 feet to a point distant 15 feet southerly from the northerly limit of said Block "G"; thence South  $83^{\circ} 37' 30''$  West 170.8 feet to the place of beginning.

## SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of All of Block "B" according to Registered Plan No. 864.



CHAPTER 177

An Act respecting the City of London

Assented to April 6th, 1966  
Session Prorogued July 8th, 1966

**W**HEREAS The Corporation of the City of London, Preamble  
herein called the Corporation, by its petition has  
prayed for special legislation in respect of the matters herein-  
after set forth; and whereas it is expedient to grant the prayer  
of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. The Corporation may refund to Arvilla Grande Motor Refund of  
Courts Limited the sum of \$1,376.23, being the amount col- taxes to  
lected from it for 1963 business taxes and 1964 property Arvilla  
taxes in excess of the amount of such taxes that would have Grande  
been payable had the assessment of the property of Arvilla Motor  
Grande Motor Courts Limited been reduced in accordance Courts  
with a decision of the Ontario Municipal Board relating to Limited  
assessment in the year 1962.

2. The Corporation may refund to George Faulkner and Refund of  
Florence Faulkner, the owners of 1580 Allen Avenue in the taxes to  
City of London, the sum of \$120, being the total amount of George and  
taxes collected from them in error in the years 1963 and 1964. Florence  
Faulkner

3. Notwithstanding any other Act, the Corporation may Grants to  
make a grant or grants to the London Symphony Orchestra London  
Association, Incorporated of a sum or sums raised by levy Symphony  
in the general tax rate for the support and aid of the London Orchestra  
Symphony Orchestra. Association,  
Inc.

4. The Corporation may pay out of the general funds of Payment  
the municipality a sum not greater than \$28,692, being a of life  
single lump sum premium necessary to maintain a \$2,000 insurance  
paid-up life insurance policy for each retired employee of the premium  
London Railway Commission named in Schedule A hereto. re certain  
employees

5. Notwithstanding section 35 of *The Municipal Act*, no Exception  
person is disqualified from eligibility to be elected as a mem- from  
R.S.O. 1960,  
c. 249, s. 35



ber of the council of the Corporation or from entitlement to sit or vote as a member of such council by reason of such person being entitled in a like manner as all other ratepayers to the return of all or part of any deposit paid to the Corporation.

Marshall St.  
Parking Lot

**6.** The lands comprising the Marshall Street Parking Lot, more particularly described in Schedule B hereto, are deemed to have been acquired by the Corporation under the authority and for the purposes of paragraph 67 of section 377 of *The Municipal Act*, and the council of the Corporation may pass a by-law, with the approval of the Ontario Municipal Board, to provide that the capital cost of such parking lot, together with any operating deficit, shall be levied against the lands in an area in the municipality as defined in the by-law that, in the opinion of the council, derives special benefit therefrom, and all the provisions of paragraph 67 of section 377 of *The Municipal Act* apply *mutatis mutandis*.

R.S.O. 1960,  
c. 249

By-laws re  
garbage  
incinerators

**7.** The Corporation may pass by-laws for prohibiting the installation, use and maintenance of garbage incinerators in apartment buildings constructed within the boundaries of the Corporation after the 1st day of January, 1966.

By-laws re  
licensing

**8.** On and after the 1st day of January, 1967, the authority and power of boards of commissioners of police under *The Municipal Act* to pass by-laws to license trades, callings, persons or things is vested in the council of the Corporation, including the authority and power of boards of commissioners of police to regulate and govern such trades, callings, persons or things.

By-laws re  
cost of  
private drain  
connections  
R.S.O. 1960,  
c. 223

**9.** Notwithstanding *The Local Improvement Act*, the council of the Corporation may by by-law, passed by a vote of two-thirds of all members thereof, provide for payment out of the general funds of the Corporation of a portion of the cost of construction of private drain connections to the street line from a storm or sanitary sewer heretofore or hereafter constructed, and such portion shall be stated in the by-law as a percentage of such cost or as the balance of such cost after deducting a flat rate to be levied against the benefited properties.

1952, c. 124,  
s. 3, subs. 1,  
cl. 2  
(1954,  
c. 115, s. 6,  
subs. 1),  
amended

**10.** Clause *e* of subsection 1 of section 3 of *The City of London Act, 1952*, as enacted by subsection 1 of section 6 of *The City of London Act, 1954*, is amended by striking out "thirty" in the second line and inserting in lieu thereof "sixty" and by striking out "building and operating expenses are recovered from the revenue therefrom" in the twelfth and thirteenth lines and inserting in lieu thereof "buildings and the

operating expenses of both the Market Parking Building and the underground parking garage to be constructed at Centennial Square are recovered from both projects", so that the clause shall read as follows:

- (e) to lease any or all of the Market Square for a period not exceeding sixty years to a private, non-profit corporation formed by local business men for the purpose of erecting thereon a combined Market and Parking Building at no cost to the Corporation but upon such terms and conditions and with such remuneration to the Corporation as may be mutually agreed upon by the Corporation and the non-profit corporation, provided the building shall be given to the City of London, without charge, and free of all encumbrances on the expiration of the said lease, or as soon as the cost of the buildings and the operating expenses of both the Market Parking Building and the underground parking garage to be constructed at Centennial Square are recovered from both projects, whichever shall first happen.

**11.** Without limiting any of the powers of the Corporation, the council of the Corporation is authorized and empowered to lease any or all of the lands comprising Centennial Square in the City of London, bounded by Dufferin Avenue on the south, Wellington Street on the west, Princess Avenue on the north, and a line three hundred and forty-two feet (342') easterly from Wellington Street and parallel thereto on the east, for a period not exceeding fifty years to Covent Garden Building Association, a corporation without share capital incorporated as such under the laws of Ontario and having its head office in the City of London, for the purpose of erecting thereon an underground parking garage at no cost to the Corporation, but upon such terms and conditions and with such remuneration to the Corporation as may be agreed upon by the Corporation and Covent Garden Building Association, provided the underground parking garage shall be given to the City of London without charge and free from all encumbrances on the expiration of the lease or as soon as the cost of the buildings and the operating expenses of both the Market Parking Building and the underground parking garage are recovered from both projects, whichever shall first happen.

**12.** Without limiting any of the powers of the Corporation, the council of the Corporation is authorized and empowered to lease a portion of the lands comprising Centennial Square in the City of London, bounded by Dufferin Avenue on the south, Wellington Street on the west, Princess Avenue on the north, and a line three hundred and forty-two feet (342')

easterly

easterly from Wellington Street and parallel thereto on the east, for a period not exceeding fifty years, for the purpose of erecting thereon a commercial, office and apartment building, to such persons and upon such terms and conditions and with such remuneration to the Corporation as the council of the Corporation may deem advisable.

Commence-  
ment

**13.** This Act comes into force on the day it receives Royal Assent.

Short title

**14.** This Act may be cited as *The City of London Act, 1966*.

SCHEDULE A

Name	Age
R. J. Orr.....	74
F. C. Bartholemew.....	83
W. E. Fisher.....	71
J. L. Brumpton.....	66
W. Fitzpatrick.....	79
F. J. Rice.....	65
R. A. Fulton.....	73
C. A. Sifton.....	72
W. A. Housego.....	78
C. E. Baldwin.....	68
W. A. Say.....	65
J. C. Jackson.....	71
W. Wiley.....	74
A. Thir.....	65
J. F. Shingler.....	66
C. H. Brock.....	76
H. A. Westacott.....	67
A. J. Baker.....	64
M. Collins.....	89
E. Masterson.....	93

SCHEDULE B



## SCHEDULE B

All of Lots 7 and 8, east of Adelaide Street, all of Lots 32 to 41, both inclusive, south of Marshall Street, all of Lots 34 to 44, both inclusive, north of King Street East, that portion of Lots 4, 5 and 6, east of Adelaide Street, that portion of Lots 32 and 33, west of Lyle Street and that portion of Lots 30 and 31, south of Dundas Street, as shown on registered Plan 229, in the City of London, in the County of Middlesex and Province of Ontario, described as follows:

## PORTION A—lying south of Marshall Street:

Commencing at the northwest corner of said Lot 8; thence southerly along the easterly limit of Adelaide Street to a point distant 53 feet measured northerly thereon from the northerly limit of King Street East; thence easterly at right angles to the said easterly limit 101 feet; thence northerly parallel to the said easterly limit to a point distant 99 feet measured northerly from the northerly limit of King Street East; thence easterly parallel to the said northerly limit to the westerly limit of the said Lot 44 north of King Street East; thence southerly along the said westerly limit 99 feet, more or less, to the northerly limit of King Street East; thence easterly along the said northerly limit to the westerly limit of Lyle Street; thence northerly along the said westerly limit to a point distant 284 feet 5 inches measured southerly thereon from the southerly limit of Dundas Street; thence westerly 198 feet to a point distant 286 feet 2 inches measured southerly on a course parallel to the westerly limit of Lyle Street from the southerly limit of Dundas Street; thence northerly parallel to the westerly limit of Lyle Street to the southerly limit of Marshall Street; and thence westerly along the southerly limit of Marshall Street to the point of commencement.

## PORTION B—north of Marshall Street:

Commencing at a point in the westerly limit of the said Lot 31 south of Dundas Street distant 125 feet measured southerly thereon from the southerly limit of Dundas Street; thence southerly along the said westerly limit and its production southerly to the northerly limit of Marshall Street; thence easterly along the production easterly of the northerly limit of Marshall Street 66 feet, more or less, to the production southerly in a straight line of the easterly limit of the said Lot 31; thence northerly along the production southerly of the easterly limit of the said Lot 31 and along the easterly limit of the said Lot 31 to a point distant 152 feet measured southerly thereon from the southerly limit of Dundas Street; thence easterly parallel to the southerly limit of Dundas Street 15 feet; thence northerly parallel to the easterly limit of the said Lot 31 a distance of 40 feet; thence westerly parallel to the southerly limit of Dundas Street, 15 feet; thence southerly along the easterly limit of the said Lot 31 a distance of 11 feet 6 inches, more or less, to a point distant 125 feet measured southerly thereon from the southerly limit of Dundas Street; thence westerly at right angles to the easterly limit of the said Lot 31 a distance of 11 feet 6 inches, more or less, to the northeast angle of a concrete curbing constructed on said Lot 31; thence westerly at right angles to the easterly limit of said Lot 31 and along the northerly face of the said curbing 22 feet 3 inches, more or less, to a point distant 32 feet 3 inches easterly from the westerly limit of said Lot 31 measured parallel to the northerly limit thereof; thence southerly parallel to the easterly limit of the said Lot 31 a distance of 1 foot 10 inches, more or less, to a point distant 125 feet measured southerly from the southerly limit of Dundas Street; and thence westerly parallel to the southerly limit of Dundas Street 32 feet 3 inches, more or less, to the point of commencement.



## CHAPTER 178

## An Act respecting the Township of North York

*Assented to May 18th, 1966*  
*Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the Township of North York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation may pass by-laws prohibiting the sale of fruit, candy, peanuts, ice cream, ice cream cones, frozen milk, frozen desserts or other confections from a basket or wagon, cart or other vehicle upon any highway or part of it, or in any public park or other public place.

Prohibition  
of street  
vending of  
refresh-  
ments

2.—(1) The Corporation is authorized and empowered to lease or license for parking purposes the use of untravelled portions of highways, within those portions of the Township of North York zoned for commercial or industrial purposes, to the owners or occupants of adjoining property for such consideration and upon such terms and conditions as may be agreed.

Parking on  
boulevards

(2) The Corporation may pass by-laws regulating and controlling the use of such portions of highways within the Township of North York, including the use thereof for parking purposes.

Idem

(3) This section does not apply to the portions of any highway that are under the jurisdiction of The Municipality of Metropolitan Toronto, except such portions as may be designated by by-laws of the Metropolitan Council, or that are extensions or connecting links of the King's Highway.

Highways  
excepted

3. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

4. This Act may be cited as *The Township of North York Act, 1966*.

Short title



## CHAPTER 179

## An Act respecting the City of Ottawa

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Ottawa, <sup>Preamble</sup> herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Notwithstanding paragraph 99 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for entering into agreements with suppliers and distributors of cable television or community television systems for the use by them of any highway or public place, and to erect and maintain thereon poles, towers, wires, cables, amplifiers and other accessory equipment and to construct and lay down pipes, ducts and conduits for enclosing wires, cables, amplifiers and other accessory equipment for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protection systems, radio programmes or part thereof and television programmes or part thereof and for such consideration and on such terms and conditions as may be agreed upon.

<sup>Agreements for use of public lands for cable television systems, R.S.O. 1960, c. 249</sup>

**2.** By-law No. 250-65 of the Corporation, as amended by By-law No. 314-65, being "A by-law of The Corporation of the City of Ottawa for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the City of Ottawa for the purpose of maintaining and operating in the City of Ottawa a community television system for the interception, sale and distribution of television signals", set forth in the Schedule hereto, is hereby validated and confirmed and declared to be legal.

<sup>By-laws confirmed</sup>

**3.**—(1) Section 1 of *The City of Ottawa Superannuation Fund Act, 1939* is amended by striking out "as a fraternal" <sup>1939, c. 66, s. 1, amended</sup>

society within the meaning of *The Insurance Act*" in the third and fourth lines, so that the section shall read as follows:

City of  
Ottawa  
Super-  
annuation  
Fund incor-  
porated

1. The City of Ottawa Superannuation Fund, established under the provisions of the said by-law set out as Schedule A hereto, is hereby incorporated under the name of "The City of Ottawa Superannuation Fund".

1939,  
c. 66, s. 3,  
amended

(2) Section 3 of *The City of Ottawa Superannuation Fund Act, 1939* is amended by striking out "any contract of insurance for which a fraternal society may be licensed under the provisions of *The Insurance Act* and is hereby declared to be entitled to be licensed as a fraternal society under the said Act" in the fourth, fifth, sixth, seventh and eighth lines and inserting in lieu thereof "the provision of a pension plan for employees of the City of Ottawa", so that the section shall read as follows:

Constitution  
of Fund

3. The said Fund shall be deemed to have been duly constituted as of the date of and as provided in the said by-law and shall have and be deemed to have had since the passing of the said by-law authority to undertake the provision of a pension plan for employees of the City of Ottawa, and all contracts of insurance heretofore undertaken or effected and all mortuary or other benefits heretofore granted by the said Fund are hereby confirmed.

1939,  
c. 66, s. 4  
(1958,  
c. 148, s. 1,  
subs. 1),  
subs. 1,  
amended

(3) Subsection 1 of section 4 of *The City of Ottawa Superannuation Fund Act, 1939*, as re-enacted by subsection 1 of section 1 of *The City of Ottawa Act, 1958*, is amended by striking out "with the approval of the Superintendent of Insurance" in the second and third lines, so that the subsection shall read as follows:

Ottawa  
Super-  
annuation  
Fund  
Board  
powers

- (1) The City of Ottawa Superannuation Fund Board may pass such by-laws, including by-laws amending, revising or consolidating the by-laws of the Fund, as may be necessary for the proper administration of the Fund and for the readjustment of rates of contribution into the Fund or pensions or benefits out of the Fund, and such amendments shall be binding upon The Corporation of the City of Ottawa and upon the members of the Fund and upon their legal representatives and upon all persons deriving any legal rights from any member or beneficiary notwithstanding anything contained in the by-laws of the Fund before such amendments.

(4) Section 5 of *The City of Ottawa Superannuation Fund Act, 1939* is repealed.

1939,  
c. 66, s. 5,  
repealed

4.—(1) In this section,

Interpre-  
tation

(a) “non-residential property” means a building or structure or part of a building or structure not occupied and not capable of being occupied in whole or in part for the purposes of human habitation, and includes the land and premises appurtenant thereto and all outbuildings, fences and erections thereon;

(b) “owner” includes the person for the time being managing or receiving the rent of or paying the municipal taxes on the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if such land and premises were let.

(2) The council of the Corporation may pass by-laws,

By-laws  
for standard  
of fitness  
of non-  
residential  
property

(a) fixing a standard of fitness to which all non-residential property shall conform;

(b) requiring the owners of non-residential property that does not conform to the standard to make it so conform;

(c) requiring the owners of buildings, structures or erections that form part of non-residential property and that do not conform to the standard to demolish all or any part thereof;

(d) prohibiting the use of non-residential property that does not conform to the standard;

(e) authorizing the placarding in such manner as the by-law may specify of non-residential property that does not conform to the standard, and prohibiting the pulling down or defacing of any such placard;

(f) governing and regulating persons in the use and occupancy of non-residential property; and

(g) providing for the appointment of a tribunal of inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.



Advances  
to owners  
and  
municipal  
debentures  
authorized

(3) Where the owner of any non-residential property is unable to pay the expense of making it conform to the standard required by the by-laws, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense, and the council of the Corporation may from time to time pass by-laws for the issue of debentures to raise money to be so advanced.

Lien for  
advances  
and  
repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Registra-  
tion of  
certificate  
of advance  
and  
repayment

(5) A certificate of the clerk of the Corporation setting out the amount advanced to or for the benefit of any owner under subsection 3, the rate of interest thereon and a description of the property in respect of which the amount was advanced, sufficient for registration, together with an affidavit verifying the signature of the clerk of the Corporation, shall be registered in the proper registry office or land titles office and, upon repayment in full to the Corporation of the amount advanced and the interest thereon, a certificate of the clerk of the Corporation showing the repayment shall be similarly registered, and the property is thereupon freed from liability in respect of the advance and interest thereon and from the lien arising therefrom.

Performance  
by Corpora-  
tion and  
collection  
of cost

(6) If any owner of non-residential property fails within such time as may be specified by the Corporation or the tribunal appointed under subsection 2 to make the non-residential property conform to the standard required by a by-law passed under this section or fails to demolish all or any part of any building, structure or erection forming part of the non-residential property as directed by the Corporation or the tribunal, the Corporation or the tribunal, in addition to all other remedies, has the right to make the non-residential

property conform to the standard or to demolish or cause to be demolished all or any part of any building, structure or erection forming part of the non-residential property, and to do any work on adjoining property necessitated by the work involved in making the non-residential property conform to the standard or by the demolition, and, for such purposes, with the servants and agents of the Corporation, from time to time to enter upon the lands of the owner and upon adjoining property, and neither the Corporation nor the tribunal is liable to compensate the owner or any person by reason of anything done by or on behalf of the Corporation or the tribunal under this subsection, and, for any amount expended by or on behalf of the Corporation or the tribunal in this subsection, the Corporation is entitled to a lien upon the non-residential property in respect of which the amount was expended, exercisable in the same manner as a lien for an advance under subsection 3, and, subject to the appeal provided by subsection 9, the certificate of the clerk of the Corporation as to the amount expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected as taxes.

(7) A by-law passed under this section is enforceable in the same manner as a by-law passed under *The Municipal Act*.

Enforce-  
ment of  
by-laws  
R.S.O. 1960,  
c. 249

(8) Before proceeding under subsection 3 or 6, the Corporation or the tribunal appointed under subsection 2 shall notify any mortgagee appearing on the registered title, by registered letter, specifying wherein the non-residential property is defective, and, if all defects are not remedied within one month from such notification, subsections 3 and 6 apply.

Notice to  
mortgagees

(9) Any person affected may appeal to the Ontario Municipal Board from a decision made under subsection 6 by the council or by the tribunal appointed under subsection 2, and the decision of the Board is final.

Appeal to  
O.M.B.

(10) For the enforcement of any by-law passed under this section, any inspector appointed under subsection 2 and any person acting under his instructions have the same right to enter, inspect and examine any non-residential property as an inspector under section 84 of *The Public Health Act*, and sections 84, 114 and 115, subsections 2 and 3 of section 116 and section 117 of such Act apply, *mutatis mutandis*.

Powers of  
inspectors

R.S.O. 1960,  
c. 321

5.—(1) The Corporation may lease or license the use of untravelled portions of highways within those portions of the City of Ottawa zoned for commercial, school or industrial purposes to the owners or occupants of adjoining property for such consideration and upon such terms and conditions as may be agreed.

Lease of  
untravelled  
portion of  
highways

By-laws  
controlling  
use

(2) The council of the Corporation may pass by-laws regulating and controlling the use of the portions of highways referred to in subsection 1, including the use thereof for parking purposes.

Connecting  
links  
excepted

(3) This section does not apply to the portions of any highways that are extensions or connecting links of the King's highway.

Interpre-  
tation

**6.—**(1) In this section, "special sale" means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

By-laws  
regulating  
special  
sales

(2) The council of the Corporation may pass by-laws,

- (a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;
- (b) prescribing the conditions on which licences may be issued and revoked, and providing for the revocation of such licences;
- (c) fixing a fee for such licences; and
- (d) for appointing inspectors and providing for the inspection of such goods.

Exemptions

(3) A by-law under this section does not apply to a sale by or under the authority of,

R.S.C. 1952,  
cc. 14, 296

- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada);
- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator; or

(d)



(d) a receiver, liquidator or trustee under any general or special Act.

(4) A by-law passed under this section is enforceable in the same manner as a by-law passed under *The Municipal Act*.

Enforcement  
R.S.O. 1960,  
c. 249

7. *The Ottawa Police Benefit Fund Association Act, 1926* is repealed.

1926, c. 120,  
repealed

8.—(1) The council of the Corporation may by by-law authorize agreements with owners or occupants of buildings or structures to be erected or used providing for relief to the extent set out in the agreements from any provision in any other by-law of the Corporation requiring the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owners or occupants to the extent specified in the agreements from the necessity of providing or maintaining such facilities.

By-laws  
authorizing  
agreements  
for relief  
from re-  
quirements  
to provide  
parking

(2) Every agreement referred to in subsection 1 is subject to the approval of the Ontario Municipal Board, given either before or after the execution thereof, and shall provide for the payment to the Corporation of a sum of money therein set out either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the payment is computed.

Agreements  
approved  
by O.M.B.

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes and in the same manner as a reserve fund provided for in paragraph 67 of section 377 of *The Municipal Act*.

Payments  
under  
agreements  
held as  
fund for  
purpose of  
parking  
facilities  
R.S.O. 1960,  
cc. 408, 249

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Audit of  
fund

(5) Any such agreement containing a description of the lands affected sufficient for registration may be registered in the proper registry office or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or upon termination of the

Registration  
of agree-  
ment  
imposes lien  
on land

R.S.O. 1960,  
c. 23

agreement,

agreement, there shall be registered in the proper registry office or land titles office against such lands a certificate of the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

Expenditures  
for  
diffusing  
information

**9.** Notwithstanding subsection 2 of section 411 of *The Municipal Act*, the Corporation may expend in any year a sum equivalent to a rate of 50 cents per capita of the population of the City of Ottawa for the purpose of diffusing information respecting the advantages of the City of Ottawa as an industrial, business, educational, residential or vacation centre.

1952,  
c. 130, s. 1,  
subss. 4, 5,  
re-enacted

**10.** Subsection 4, as amended by subsection 2 of section 2 of *The City of Ottawa Act, 1960-61*, and subsection 5 of section 1 of *The City of Ottawa Act, 1952* are repealed and the following substituted therefor:

Lien for  
advances  
and  
repayment

- (4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council of the Corporation but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the dwelling in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council of the Corporation and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Registration  
of certificate  
of advance  
and  
repayment

- (5) A certificate of the clerk of the Corporation setting out the amount advanced to or for the benefit of any owner under subsection 3, the rate of interest thereon and a description of the property in respect of which the amount was advanced, sufficient for registration, together with an affidavit verifying the signature of the clerk of the Corporation, shall be registered in the proper registry office or land titles office and,



upon repayment in full to the Corporation of the amount advanced and the interest thereon, a certificate of the clerk of the Corporation showing the repayment shall be similarly registered, and the property is thereupon freed from liability in respect of the advance and interest thereon and from the lien arising therefrom.

**11.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent.<sub>ment</sub>

**12.** This Act may be cited as *The City of Ottawa Act, 1966*. <sup>Short title</sup>

## SCHEDULE

## BY-LAW No. 250-65

A BY-LAW of The Corporation of the City of Ottawa for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the City of Ottawa for the purpose of maintaining and operating in the City of Ottawa a community television system for the interception, sale and distribution of television signals.

WHEREAS the Council of The Corporation of the City of Ottawa is by paragraph 99 of section 379 (1) of *The Municipal Act* authorized to pass by-laws for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the City of Ottawa for the purpose of maintaining and operating in the City of Ottawa a community television system for the interception, sale and distribution of television signals;

AND WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the City of Ottawa enacts as follows:

1. No person shall construct, erect, operate or maintain in, upon, along, across, above, over and under any highway in the City of Ottawa any service wires, underground conduits, manholes, amplifiers and other television conductors and fixtures necessary for the maintenance and operation of a community television system for the interception, sale and distribution of television signals without first obtaining a permit from the Director of Planning and Works of the Corporation.

2. No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he procures a licence from the Department of Transport of the Government of Canada, which licence permits him to install and operate a community antenna television system in a defined area in the City of Ottawa.

3. No permit shall be issued to an applicant unless and until he has entered into an agreement with the City of Ottawa prescribing the consideration, terms and conditions of the grant of user by the City to the applicant of any portion of a highway in the City of Ottawa.

4. Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding the sum of \$300.00 (exclusive of costs) for each offence.

GIVEN under the corporate seal of the City of Ottawa this 20th day of September, 1965.

(Sgd.) A. T. HASTY,  
*City Clerk.*

(Sgd.) DON B. REID,  
*Mayor.*

## BY-LAW No. 314-65

A BY-LAW of The Corporation of the City of Ottawa amending By-law No. 250-65.

The Council of The Corporation of the City of Ottawa enacts as follows:

By-law No. 250-65, entitled "A by-law of The Corporation of the City of Ottawa for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the City of Ottawa for the purpose of maintaining and operating in the City of Ottawa a community television system for the interception, sale and distribution of television signals", is amended by adding after section 2 thereof the following:

- 2a. The provisions of the *Radio Act* and the regulations made thereunder are hereby adopted and are intended to form part of this by-law.

GIVEN under the corporate seal of the City of Ottawa this 6th day of December, 1965.

(Sgd.) A. T. HASTEY,  
*City Clerk.*

(Sgd.) DON B. REID,  
*Mayor.*



## CHAPTER 180

**An Act respecting The Board of Trustees of the Continuation School of the Township of Pelee**

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**W**HEREAS The Board of Trustees of the Continuation Preamble  
 School of the Township of Pelee by its petition has  
 prayed for special legislation in respect of the matters herein-  
 after set forth; and whereas it is expedient to grant the prayer  
 of the petition;

Therefore, Her Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:

**1.** Clauses *b* and *c* of section 1 of *The Township of Pelee* <sup>1960-61,</sup>  
*Continuation School Act, 1960-61* are repealed and the following <sup>c. 122, s. 1,</sup>  
 substituted therefor: <sup>cls. b, c,</sup> <sup>re-enacted</sup>

- (b) in lieu of providing daily transportation to and from  
 the Township of Pelee for its pupils of Grades 11, 12  
 and 13 who attend, outside the Township of Pelee,  
 a secondary school as defined in *The Schools Adminis-* <sup>R.S.O. 1960,</sup>  
*tration Act*, reimburse at the end of each month the <sup>c. 361</sup>  
 parent or guardian for the cost of providing such pupil  
 with board and lodging and with transportation once a  
 week from his residence to school and return in an  
 amount not exceeding \$3 for each day of attendance  
 as certified by the principal of the secondary school  
 that the pupil attends, or for such amount as from  
 time to time is authorized to be paid by an elementary  
 school board for a pupil who resides in a school  
 section or separate school zone in a territorial district,  
 but not in a high school district under the provisions  
 of *The Schools Administration Act*, in lieu of providing  
 daily transportation to and from school as provided  
 in that Act;
- (c) in the event the continuation school of the Township  
 of Pelee is closed with the assent of the ratepayers  
 and in lieu of providing daily transportation to and  
 from the Township of Pelee for its pupils of Grades



R.S.O. 1960,  
c. 361

9 and 10 who attend, outside the Township of Pelee, a secondary school as defined in *The Schools Administration Act*, reimburse at the end of each month the parent or guardian for the cost of providing such pupil with board and lodging and with transportation once a week from his residence to school and return in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or for such amount as from time to time is authorized to be paid by an elementary school board for a pupil who resides in a school section or separate school zone in a territorial district, but not in a high school district under the provisions of *The Schools Administration Act*, in lieu of providing daily transportation to and from school as provided in that Act.

Commence-  
ment

**2.** This Act shall be deemed to have come into force on the 1st day of January, 1966.

Short title

**3.** This Act may be cited as *The Township of Pelee Continuation School Act, 1966*.

## CHAPTER 181

## An Act respecting the City of Port Arthur

*Assented to April 6th, 1966*  
*Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Port Arthur, <sup>Preamble</sup>  
 herein called the Corporation, and The Board of Park  
 Management of The Corporation of the City of Port Arthur,  
 herein called the Board of Park Management, by their  
 petition have represented that they are desirous of dissolving  
 the Board of Park Management without the assent of the  
 electors, that they are desirous of providing for the establish-  
 ment of a board, to be known as "The Recreation and Com-  
 munity Centres Board of the City of Port Arthur", for the  
 better development and supervision of their recreation facilities  
 and community centres, and that for such purposes it is  
 necessary to endow such board with all the duties, responsibili-  
 ties, powers and privileges of The Civic Recreation Committee  
 of the City of Port Arthur, established under *The Department* <sup>R.S.O. 1960,</sup>  
*of Education Act* and the regulations thereunder, and The <sup>c. 94</sup>  
 Port Arthur Community Centres Board, established under  
*The Community Centres Act*; and whereas the petitioners have <sup>R.S.O. 1960,</sup>  
 prayed for special legislation in respect of the matters herein- <sup>c. 60</sup>  
 after set forth; and whereas it is expedient to grant the prayer  
 of the petition;

Therefore, Her Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:

**1.**—(1) The Board of Park Management is dissolved, and <sup>Board of</sup>  
 the assets and liabilities thereof become the assets and <sup>Park</sup>  
 liabilities of the Corporation. <sup>Management</sup>  
<sup>dissolved</sup>

(2) By-law No. 203 of the Town of Port Arthur and By-law <sup>By-laws</sup>  
 No. 192 of the Corporation, and any by-laws amending such <sup>repealed</sup>  
 by-laws, are repealed.

(3) Section 4 of *An Act respecting the City of Port Arthur*, <sup>1926,</sup>  
 being chapter 90 of the Statutes of Ontario, 1926, is repealed. <sup>c. 90, s. 4,</sup>  
<sup>repealed</sup>

**2.**—(1) Notwithstanding *The Department of Education Act* <sup>Recreation</sup>  
 and the regulations thereunder and *The Community Centres* <sup>and</sup>  
*Act*, the council of the Corporation may appoint a board, to <sup>Community</sup>  
<sup>Centres</sup>  
<sup>Board</sup>

be known as "The Recreation and Community Centres Board of the City of Port Arthur", composed of not fewer than seven members and not more than thirteen members, including the mayor and at least four members of the council of the Corporation.

Powers and  
duties of  
Board

R.S.O. 1960,  
cc. 94, 60

(2) The Recreation and Community Centres Board of the City of Port Arthur shall be both a recreation committee, within the meaning of *The Department of Education Act* and the regulations thereunder, and a community centres board, within the meaning of *The Community Centres Act*, and such Acts apply to The Recreation and Community Centres Board of the City of Port Arthur as if it had been established in accordance with such Acts and regulations.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The City of Port Arthur Act, 1966*.

## CHAPTER 182

# An Act respecting the Strathroy Middlesex General Hospital

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS the Board of Governors of The Strathroy <sup>Preamble</sup>  
General Hospital by its petition has represented that,  
pursuant to the provisions of *The Strathroy General Hospital Act, 1948*, <sup>1948, c. 127</sup>  
it is a corporate entity with the name of The  
Strathroy General Hospital, and as such owns and operates  
a public hospital known as "The Strathroy General Hospital";  
and whereas The Strathroy General Hospital renders hospital  
services not only to residents of The Corporation of the Town  
of Strathroy but also to residents of The Corporation of the  
County of Middlesex; and whereas the petitioner deems it  
desirable to repeal *The Strathroy General Hospital Act, 1948*  
and to entrust the ownership, general management, operation  
and maintenance of such hospital to a corporation to be  
created and to be known as "The Board of Governors of the  
Strathroy Middlesex General Hospital" so as to properly  
establish area representation; and whereas it is desirable to  
change the name of The Strathroy General Hospital to  
"Strathroy Middlesex General Hospital"; and whereas the  
petitioner has prayed for special legislation in respect of the  
matters hereinafter set forth; and whereas it is expedient to  
grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Board" means The Board of Governors of the  
Strathroy Middlesex General Hospital;
- (b) "Hospital" means the Strathroy Middlesex General  
Hospital.

**2.**—(1) There shall be a board, to be known as "The Board <sup>Board of  
Governors</sup>  
of Governors of the Strathroy Middlesex General Hospital",  
which shall manage and administer the Strathroy Middlesex  
General Hospital.

Composition (2) The Board shall consist of twelve governors to be elected by the members of the corporation of the Strathroy Middlesex General Hospital, the mayor and reeve of The Corporation of the Town of Strathroy, who shall be *ex officio* governors, and such medical representation as is required by R.S.O. 1960, c. 322, *The Public Hospitals Act*.

First election (3) Of the governors first elected, four shall hold office until the end of the first year after the year of their election, four shall hold office until the end of the second year after the year of their election, and four shall hold office until the end of the third year after the year of their election, and thereafter each elected governor shall hold office for a period of three years.

Term of office (4) The governors shall hold office until their successors are elected or take office, as the case may be.

Idem (5) The mayor and reeve of The Corporation of the Town of Strathroy shall each hold office during his respective term of municipal office.

Interim governors (6) Until the first governors are elected in accordance with this section or until the 31st day of December, 1966, whichever occurs first, the offices of the twelve governors who are to be elected shall be filled by,

Mrs. Agnes Spence	95 Hull St.,	Strathroy, Ont.
Rev. Father J. F. Summers	124 Front St.,	Strathroy, Ont.
Mr. George Wilson	R.R. 2,	Kerrwood, Ont.
Mr. John Eakins	78 Frank St.,	Strathroy, Ont.
Mr. Brian Watson	60 Arnella Cresc.,	Strathroy, Ont.
Mr. Charlton Sinker	R.R. 2,	Ilderton, Ont.
Mr. Frank Hamilton	Victoria St.,	Glencoe, Ont.
Mr. Clark Wright	78 McKellar St.,	Strathroy, Ont.
Mr. Ralph Westgate	375 Albert St.,	Strathroy, Ont.
Mr. Duncan McGugan	R.R. 1,	Strathroy, Ont.
Mr. R. L. Thorn	R.R. 1,	Strathroy, Ont.
Dr. D. M. Sharpe	35 Frank St.,	Strathroy, Ont.

Quorum 3. Eight members shall constitute a quorum of the Board.

Board a corporation 4. The Board shall be a corporation under the name of the "Strathroy Middlesex General Hospital", and by that name shall have perpetual succession and a corporate seal and may under that name sue and be sued, and shall have all the



powers and privileges conferred upon it by this Act, and all the other powers, privileges and immunities vested by law in a corporation necessary or proper for carrying out its objects.

5. All real and personal property vested in The Strathroy General Hospital or its governing body immediately before this Act comes into force shall be vested in the Board.

Property  
vested

6. Subject to *The Public Hospitals Act*, the Board may acquire such real and personal property as it from time to time considers necessary for the purpose of properly conducting the Hospital, and may erect and maintain such buildings as are necessary for that purpose.

Acquisition  
of property  
R.S.O. 1960,  
c. 322

7. Subject to *The Public Hospitals Act* and any regulations made thereunder and to *The Hospital Services Commission Act* and any regulations made thereunder, the Board has charge of and supervision over the conduct, direction, management, operation, maintenance, alteration, enlargement, erection, furnishing and equipping of the Hospital and, without limiting the generality of the foregoing, may,

Powers of  
Board  
R.S.O. 1960,  
cc. 322, 176

- (a) make all such expenditures and enter into all such contracts and agreements as are necessary or convenient for the purpose of the Hospital;
- (b) appoint and suspend or remove, according to law, such employees as are deemed necessary for the general management, direction, control, operation and maintenance of the Hospital, and fix their remuneration and prescribe their privileges, duties and working conditions;
- (c) fix the fees to be charged patients for accommodation in and services rendered by the Hospital;
- (d) direct, manage and control the expenditure of all moneys received or provided for the construction or improvement of the Hospital and for the operation, enlargement, alteration, erection and maintenance thereof;
- (e) enact by-laws providing for,
  - (i) the administration, operation, management and maintenance of the Hospital,
  - (ii) the election and qualifications of governors,
  - (iii) the qualifications for membership in the corporation,

(iv)

- (iv) the qualifications and duties of the officers and employees of the corporation,
- (v) the organization, qualifications and privileges of and appointments to the medical, dental and nursing staff of the Hospital, and
- (vi) the conduct of professional practice in the Hospital.

Investments      **8.** The Board may invest in such securities as are authorized by law for investment by trustees any moneys that at any time come into its possession in connection with the Hospital.

Donations  
R.S.O. 1960,  
c. 246      **9.** Subject to *The Mortmain and Charitable Uses Act*, the Board may receive and take from the Crown and from any person by grant, gifts, advance or otherwise any land or interest in land or any goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the Hospital.

1948, c. 127,  
repealed      **10.** *The Strathroy General Hospital Act, 1948* is repealed.

Commence-  
ment      **11.** This Act comes into force on the day it receives Royal Assent.

Short title      **12.** This Act may be cited as *The Strathroy Middlesex General Hospital Act, 1966*.

CHAPTER 183

An Act respecting the City of Sudbury

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Sudbury by its petition has represented that it is desirous of providing for the establishment of a parks and recreation commission for the better development and supervision of its public parks and recreation facilities and that for such purposes it is necessary to endow the Commission with all the duties, responsibilities, powers and privileges of the Sudbury Recreation Committee, established under *The Department of Education Act*, and of the Sudbury Board of Park Management, established under *The Public Parks Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,  
cc. 94, 329

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-  
tation

- (a) "City" means The Corporation of the City of Sudbury;
- (b) "Commission" means The Parks and Recreation Commission of the City of Sudbury;
- (c) "Council" means the council of the City.

2.—(1) Notwithstanding *The Department of Education Act* and the regulations thereunder and *The Public Parks Act*, there shall be a commission, to be known as "The Parks and Recreation Commission of the City of Sudbury", which shall be composed of,

Parks and  
Recreation  
Commission

- (a) two members of the Council, to be appointed by the Council; and
- (b) five persons appointed by the Council, who are qualified to be elected members of the Council but who are not members thereof.

## Term of office

(2) The members of the Commission who are not members of the Council shall hold office for two years and until their successors are appointed, provided that, on the first appointment, the members shall hold office until the end of the year next following such appointment in which a municipal election is to be held to elect members of the Council.

## Vacancies

(3) Where a member of the Commission ceases to be a member before the expiration of his term of office, the Council shall appoint another qualified person in his place, who shall hold office for the remainder of the term and until his successor is appointed.

## Quorum

(4) A majority of the members of the Commission constitutes a quorum.

## Chairman and vice-chairman

(5) At its first meeting in every year, the Commission shall elect a chairman and a vice-chairman from among the members of the Commission, and, in the absence of the chairman, the vice-chairman shall preside.

## Employees

(6) The Commission may engage such employees and consultants as it deems expedient.

## Treasurer

(7) The treasurer of the City shall be the treasurer of the Commission.

Powers and duties of Commission  
R.S.O. 1960,  
cc. 94, 329

**3.** Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder and *The Public Parks Act*, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and hold land, apply to the Commission as if it had been established in accordance with such Acts and regulations.

## Dissolution of former bodies

**4.—**(1) The Sudbury Board of Park Management and the Sudbury Recreation Committee are dissolved, and the assets and liabilities thereof become the assets and liabilities of the City.

## By-laws repealed

(2) By-law No. 527 of the Town of Sudbury, and By-law No. 528 of the Town of Sudbury as amended by By-law No. 534 of the Town of Sudbury and paragraphs 3, 4, 5, 6, 7, 8 and 9 of By-law No. 3114 of the City of Sudbury, and any by-laws amending the provisions of such by-laws are repealed.

## Estimates of Commission

**5.—**(1) The Commission shall, on or before the 1st day of February in each year, submit to the Council an itemized estimate of its financial requirements for the year, and, subject to the provisions of *The Public Parks Act*, the Council may

amend such estimate and shall pay to the Commission out of the moneys appropriated for the Commission such amounts as may be requisitioned from time to time.

(2) Where any moneys have been included in the estimates of the Commission for a specific purpose, they may be used by the Commission only for such specific purpose and not otherwise.

Moneys for  
specific  
purposes

6. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

7. This Act may be cited as *The City of Sudbury Act, 1966*.

Short title





CHAPTER 184

An Act respecting the Town of Thorold

Assented to April 6th, 1966  
Session Prorogued July 8th, 1966

**W**HEREAS The Corporation of the Town of Thorold,  
herein called the Corporation, by its petition has prayed  
for special legislation in respect of the matters hereinafter  
set forth; and whereas it is expedient to grant the prayer of  
the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** Article V, Section 1 of a Plan for the readjustment and  
reorganization of the debenture and other indebtedness of  
The Corporation of the Town of Thorold, dated the 1st day  
of September, 1939, made under Part III of *The Department  
of Municipal Affairs Act*, being chapter 59 of the Revised  
Statutes of Ontario, 1937, which section is set forth as the  
Schedule hereto, shall cease to bind the Corporation from the  
1st day of January, 1966, and the Corporation is relieved from  
the obligation to levy or collect upon or from the public school  
and high school ratepayers of the Corporation the respective  
sums set forth in such Schedule in the years 1966 to 1979,  
both inclusive.

Corporation  
relieved  
from levy  
and  
collection of  
debenture  
moneys

**2.** The Corporation is empowered to acquire by purchase  
and hold any land, rights-of-way and superstructures of  
Canadian National Railway Company, formerly Niagara,  
St. Catharines and Toronto Railway Company, within the  
limits of the Corporation and to sell and convey the same or  
any part thereof, and such acquisition shall be deemed to be  
for the purposes of the Corporation.

Corporation  
empowered  
to acquire  
C.N.R.  
land,  
rights-of-  
way, and  
super-  
structures

**3.** The acceptance by the Corporation of a deed of grant  
from Her Majesty Queen Elizabeth II, dated the 24th day of  
July, 1962, and registered in the Registry Office for the  
Registry Division of the County of Welland on the 16th day  
of November, 1964, as No. 17921B, of lands more particularly

Acquisition  
of lands  
from Her  
Majesty  
validated

described

described in the deed, and the acquisition of such lands shall be deemed to have been for the purposes of the Corporation, and the Corporation may sell and convey the same or any part thereof.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Town of Thorold Act, 1966*.

## SCHEDULE

## ARTICLE V

## TAX LEVIES, ETC.

SECTION 1. For the purpose of the Refunding under this Plan, an annual levy of \$5,477.13 shall be made on the ratepayers liable for public school rates in each of the years 1940 to 1979, both inclusive, and an annual levy of \$4,184.03 shall be made on the ratepayers liable for high school rates in each of the years 1940 to 1979, both inclusive. When collected, the proceeds of said levies shall be applied to the payment of the New Debentures generally.





## CHAPTER 185

**An Act respecting  
The Tilbury Public School Board**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Tilbury Public School Board by its <sup>Preamble</sup> petition has represented that William J. Miller, late of the City of Miami, in the State of Florida, one of the United States of America, died on or about the 4th day of October, 1960, leaving a will dated the 4th day of September, 1958, and codicil dated the 25th day of May, 1960; that probate of such will and codicil was duly granted out of the County Judge's Court in and for Dade County, Florida, in probate; that by clause "Third" of such will the testator gave the residue of his estate to Tilbury Public School, Tilbury, Ontario, Canada; that The Tilbury Public School Board has vested in it the property set out in the Schedule hereto, which was received from or purchased with moneys received from the executor of the estate of the late William J. Miller; and that The Corporation of the County of Kent by By-law No. 2397, effective the 1st day of January, 1966, has established a Township School Area comprising the Town of Tilbury, a portion of the Township of Tilbury East and a portion of the Township of Raleigh; and whereas the petitioner has prayed for special legislation to establish a trust fund consisting of the property set out in the Schedule hereto; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The property particularly set out in the Schedule <sup>Property in trust</sup> hereto is hereby established a trust fund under the name of "William J. Miller Trust".

**2.** The trustees of the William J. Miller Trust shall be those <sup>Trustees</sup> members of the public school board of the area of which the Town of Tilbury forms a part who are from time to time elected as members of such board by the public school rate-payers of the Town of Tilbury.

Assets  
vested

**3.** Notwithstanding the provisions of By-law No. 2397 of the County of Kent, which came into force on the 1st day of January, 1966, establishing an enlarged school area that includes the Town of Tilbury, the assets of the William J. Miller Trust are hereby vested in the trustees of the William J. Miller Trust as herein provided for, and the Board of Trustees of the public school area created by such By-law No. 2397 is authorized and directed to transfer, convey and pay over such assets to the trustees of the William J. Miller Trust.

Idem

**4.** All moneys, both capital and income, coming into the hands of the trustees from the assets of the William J. Miller Trust situate in the United States of America, set out in the Schedule hereto, shall become and be, in the hands of such trustees, capital of the William J. Miller Trust.

Investment

**5.** The trustees may postpone the realization of any of the assets set out in the Schedule that are not investments authorized by the laws of Ontario for the investment of trust funds, and save as aforesaid all funds of the William J. Miller Trust shall be invested and reinvested in investments authorized by the laws of Ontario for the investment of trust funds.

Disposition  
of income

**6.** The net income in the hands of the trustees shall be paid and applied as follows:

1. An amount not exceeding the sum of \$300 shall be paid each year to the principal of the public school in the Town of Tilbury at his request to defray the expenses of the annual William J. Miller Day activities for the Grade 7 and Grade 8 students attending such public school.
2. The balance of the net income shall be paid to the treasurer of the Town of Tilbury in semi-annual instalments on the 15th days of June and December in each year to be applied by him in reduction of the amount required to be levied by the Town of Tilbury each year for public school purposes.

Adminis-  
tration  
costs  
paid out  
of trust  
fund

**7.** The trustees are authorized to appoint a secretary-treasurer and to engage the services of agents, accountants, investment counsel, solicitors and such other professional assistants as may be reasonably required in the administration of the William J. Miller Trust, and may pay proper remuneration for such services out of the income of the William J. Miller Trust.

Audit

**8.** The William J. Miller Trust shall be audited each year by the auditor for the Town of Tilbury, and the trustees shall furnish to such auditor all information and material required by him.

**9.** The trustees shall serve without remuneration but may be reimbursed out of the trust fund for reasonable expenses incurred in the performance of their duties as trustees. <sup>Remuneration of trustees</sup>

**10.** This Act shall be deemed to have come into force on the 1st day of January, 1966. <sup>Commencement</sup>

**11.** This Act may be cited as *The Tilbury Public School Board Act, 1966*. <sup>Short title</sup>

## SCHEDULE

## ASSETS SITUATE IN THE PROVINCE OF ONTARIO

1. Hydro-Electric Power Commission of Ontario Bond No. DQ-U522 due 15 February 1980, 6%, par value \$10,000.00.
2. Province of Ontario Bond No. DH-X0446 due 1 December 1982, 5¼%, par value \$10,000.00.
3. Province of Ontario Bond No. DL-X0532 due 15 September 1983, 5½%, par value \$10,000.00.
4. Province of Ontario Bond No. DR-V0259 due 15 April 1985, 5¼%, par value \$5,000.00.
5. Province of Ontario Bond No. DR-V0260 due 15 April, 1985, 5¼%, par value \$5,000.00.
6. Monies on deposit in Savings Account 142 Canadian Imperial Bank of Commerce, Tilbury, Ontario.
7. Monies on deposit in account NP149 Canadian Imperial Bank of Commerce, Tilbury, Ontario.
8. Certificate No. F1166 for ¾ of 1 share of Copper-Man Mines Limited.
9. Certificate No. 12713 for 13 shares of Copper-Man Mines Limited.
10. Certificate No. 1666 for 1000 shares of The Shaw Porcupine Gold Mines Limited.
11. Certificate No. 15A for 1000 shares of Carshaw Porcupine Gold Mines Limited.
12. Certificate No. 16A for 1000 shares of Carshaw Porcupine Gold Mines Limited.
13. Certificate No. 17A for 1000 shares of Carshaw Porcupine Gold Mines Limited.
14. Certificate No. 18A for 1000 shares of Carshaw Porcupine Gold Mines Limited.
15. Certificate No. 19A for 1000 shares of Carshaw Porcupine Gold Mines Limited.
16. Certificate No. 20A for 1000 shares of Carshaw Porcupine Gold Mines Limited.
17. Certificate No. T0104 for 2500 shares of Wisconsin Mining Corporation.
18. Personal effects of Deceased undisposed of consisting of 1 Wrist Watch, 1 Pocket Watch, 3 Rings, 1 Knife and Silverware, Probate Value \$155.00.

## PROPERTY SITUATE IN THE UNITED STATES OF AMERICA

1. Monies on deposit in current account at the First National Bank of Miami, Miami, Florida.

2. Mortgage from George H. Schulte and Dorothy K. Schoenwith dated 28 November, 1961, on security of Lots 1, 2 and 8, Block 71 South, City of Miami, according to the Plat thereof recorded in Plat Book "B" at page 41, Public Records, Dade County, Florida, also known as 900-910 South Miami Avenue, Miami, Florida. Balance owing as of December 31, 1964, \$66,149.00 with interest at 6% per annum.
3. Mortgage from The United Fund of Dade County on security of Lots 7 and 8 in Block 112 North, City of Miami, Florida, according to Plat thereof recorded in Plat Book "B" at page 41 of The Public Records of Dade County, Florida. Balance owing as of December 31, 1964, \$15,188.00 with interest at 6% per annum.
4. Mortgage from J. Harris on security of Lot 7 Block 74 South, City of Miami, according to Plat thereof recorded in Plat Book "B" page 41 of the Public Records of Dade County, Florida, known as 50 South West 10th Street, Miami, Florida. Balance owing as of December 31, 1964, \$9,772.00 with interest at 6% per annum.
5. Real Property consisting of the South 100 feet of Block 16 and the North 30 feet of Block 17 and a 20-foot strip of land between Blocks 16 and 17 Summerhaven Subdivision, St. John County, Florida.





## CHAPTER 186

# An Act respecting The Toronto Aged Men's and Women's Homes

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Toronto Aged Men's and Women's <sup>Preamble</sup> Homes by its petition has represented that it was incorporated by *An Act to incorporate the Toronto Magdalen Asylum and Industrial House of Refuge*, being chapter 73 of the Statutes of the Province of Canada, 1858, as amended by *An Act to amend the Act respecting the Toronto Magdalene Asylum*, being chapter 154 of the Statutes of Ontario, 1873; and whereas The Toronto Magdalene Asylum and Industrial House of Refuge changed its corporate name to "The Toronto Industrial Refuge and Aged Woman's Home" by an order in council dated the 25th day of September, 1884, to "The Toronto Industrial Refuge and Aged Men's and Women's Homes" by an order in council dated the 11th day of January, 1898, and to "The Toronto Aged Men's and Women's Homes" by an order in council dated the 17th day of January, 1940; and whereas the petitioner has prayed for special legislation amending its Act of incorporation, as amended, in relation to enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *An Act to incorporate the Toronto Magdalen Asylum and Industrial House of Refuge* is amended by adding thereto the following sections:

4. Subject to *The Charitable Gifts Act*, the funds of the Corporation not immediately required for its objects <sup>Investment of funds</sup> and the proceeds of all real and personal property <sup>R.S.O. 1960, c. 50</sup> that come into the Corporation, subject to any trusts affecting the same, may be invested and re-invested in any or all of the following modes or objects of investment:

1. In any manner for the time being prescribed by statute for the investment of trust funds.

2. In the bonds, debentures or other evidences of indebtedness of any company incorporated under the laws of Canada or of any province of Canada, whether such bonds, debentures or other evidences of indebtedness are secured or unsecured.
3. In the preference shares of any company incorporated as aforesaid that has in each of the five years next preceding the purchase of such shares paid dividends thereon at the preferential rate carried by them.
4. In the preference or common shares of any company incorporated as aforesaid that has paid dividends upon its common shares to a total amount of not less than \$200,000, either in United States or Canadian dollars, in each of the five years next preceding the purchase of such shares,

and all real and personal property and revenue of the Corporation shall be applied for the attainment of the objects for which the Corporation is constituted.

Trusts,  
bequests,  
etc.

5. All trusts, gifts, devises and bequests that have been heretofore or shall hereafter be made to or in favour of or intended for Belmont Home, Belmont Homes, Belmont House, Ewart House, Tweedsmuir House, The Toronto Aged Men's Home, The Toronto Aged Women's Home or other similar appellation shall be held and enjoyed by the Corporation.

1873, c. 154,  
s. 2,  
repealed

2. Section 2 of *An Act to amend the Act respecting the Toronto Magdalene Asylum* is repealed.

Commence-  
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Toronto Aged Men's and Women's Homes Act, 1966*.

## CHAPTER 187

## An Act respecting the City of Toronto

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the City of Toronto, <sup>Preamble</sup> herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) By-law No. 22693 of the Corporation, being “A <sup>By-law No. 22693 validated</sup> By-law Respecting Fences”, passed on the 8th day of December, 1965, set forth as the Schedule hereto, is hereby validated and confirmed, and may be amended from time to time to such extent as may be approved by the Ontario Municipal Board.

(2) Part XXI of *The Municipal Act* applies to By-law No. 22693 referred to in subsection 1, and to any amendments <sup>R.S.O. 1960, c. 249, Part XXI, applies</sup> thereto.

2.—(1) The Corporation may by by-law provide that any <sup>Increase of pensions to former employees</sup> person who is a former employee or who is included in such class or classes of former employees as may be designated in the by-law, and who is in receipt of pension benefits pursuant to any by-law or by-laws of the Corporation amounting to less than \$900 annually and had service with the Corporation as defined or required by the by-law or by-laws pursuant to which the pension benefits were given to the extent of at least twenty years, shall be given additional pension benefits in such amount as is necessary, when added to the benefits being received, to equal an amount designated, being not greater than \$900 per year.

(2) The Corporation may pay into a fund, established by <sup>Fund</sup> a by-law passed under subsection 1 or any by-law of the Corporation for the provision of pensions, allowances or gratuities for employees or any class or classes thereof, the amount necessary to provide the pension benefits given by such by-law passed under subsection 1.

Grant or increase of retiring allowance to former employees

(3) The Corporation may by by-law provide that any person, who is a former employee or who is included in such class or classes of former employees as may be designated in the by-law, who is not in receipt of pension benefits pursuant to any by-law or by-laws of the Corporation, who had at least twenty years of continuous employment with the Corporation, who retired from such employment because of age or by reason of having become incapable through illness or otherwise of efficiently discharging his duties, and who is in receipt of a retirement allowance granted under section 240 of *The Municipal Act* or a predecessor thereof of less than \$900 per annum or is not in receipt of any such retirement allowance, shall, if in receipt of a retirement allowance, be given an additional allowance in such amount as is necessary, when added to the allowance being received, to equal an amount designated, being not greater than \$900 per year, or shall, if not in receipt of a retirement allowance, be given such an allowance in an amount designated, being not greater than \$900 per year.

R.S.O. 1960, c. 249

Application of section

(4) This section does not apply to an employee who has entered or enters the service of the Corporation after the 1st day of January, 1948.

Repeal or amendment of by-law prohibited

(5) No by-law passed under this section shall be amended or repealed.

Interpretation

(6) For the purposes of this section, "employee" means an employee as defined in section 8 of *An Act respecting the City of Toronto*, being chapter 126 of the Statutes of Ontario, 1921, as amended by section 3 of *The City of Toronto Act, 1953*.

1953, c. 133

Previous grants and increases confirmed

(7) The action of the council of the Corporation in granting retirement allowances or increases of pensions or retirement allowances to former employees in the period from and including the 1st day of December, 1965, to the time at which this section comes into force, and the payment of such retirement allowances or increases of pensions or retirement allowances is hereby authorized and declared to be legal, valid and binding to the extent that such grants and payments might legally have been made if this section had been in force during such period.

Cancellation, etc., of taxes on 3263-3265 Dundas St. West

3. The Corporation may by by-law cancel, reduce or refund taxes levied on premises 3263 to 3265 Dundas Street West in the City of Toronto for the years 1962 to 1965, both inclusive, and any interest, penalties or other costs incidental thereto to the extent that the same exceed the total amount of taxes that would have been payable for such years if the assessment of land separate from buildings had been \$3,750 and the assessment on buildings had been \$100 in each of such years.



4. Notwithstanding *The Local Improvement Act* or any predecessor thereof or a by-law passed pursuant to such Act or predecessor, the Corporation may by by-law authorize the undertaking at the expense of the Corporation at large of the work of constructing a sidewalk in, upon or along a street or of constructing, enlarging or extending any sewer in any case where the council is of the opinion that it would be inequitable to charge the cost of the work as a special assessment against a limited class of ratepayer.

Sidewalks  
and sewers  
at cost of  
Corporation  
at large  
R.S.O. 1960,  
c. 223

5.—(1) Subsection 2 of section 3 of *The City of Toronto Act, 1960-61* is repealed and the following substituted therefor:

1960-61,  
c. 137, s. 3,  
subs. 2,  
re-enacted

(2) Before passing a by-law under this section, notice of the intention of the Corporation to pass the same shall be sent by prepaid mail to all persons who are shown in the last revised assessment roll of the municipality as having the qualifications of municipal electors in respect of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons in such roll.

Notice to  
electors

(3) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the city clerk within one month next following the latest day of the mailing of any such notices, the Corporation may pass the by-law, but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the city clerk within such time, the Corporation shall not pass the by-law.

Petition

(4) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition objecting thereto having been presented under subsection 3, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

Saving

(2) The said section 3 is amended by renumbering subsections 3, 4 and 5 as subsections 5, 6 and 7.

1960-61,  
c. 137, s. 3,  
amended

6. Subsection 9 of section 4 of *The City of Toronto Act, 1960-61*, as enacted by section 1 of *The City of Toronto Act, 1964*, is amended by striking out "following the passing, subsequent to such levy, of a by-law or amendment to a by-law

1960-61,  
c. 137, s. 4,  
subs. 9  
(1964,  
c. 145, s. 1),  
amended

pursuant to section 30 of *The Planning Act*" in the seventh, eighth and ninth lines, so that the subsection shall read as follows:

Levy of  
cost  
against  
other  
defined  
areas

- (9) When a by-law has been passed in accordance with subsection 1 and such by-law provides that the capital cost or any part thereof shall be levied against the lands in one or more defined areas, and the council is of the opinion that lands in any other defined area or areas have begun or may begin to derive a special benefit therefrom, the council may by a further by-law, passed with the approval of the Ontario Municipal Board, levy charges against the lands in the last-mentioned area or areas of such amounts as would have been charged against the lands in the defined area or areas if the council had been of the opinion that the lands derived a special benefit therefrom at the time of the passing of the first-mentioned by-law.

Commence-  
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The City of Toronto Act, 1966*.

## SCHEDULE

## No. 22693. A BY-LAW RESPECTING FENCES

Passed December 8, 1965.

The Council of the Corporation of the City of Toronto enacts as follows:

## 1. In this by-law

- (1) "Division fence" shall mean a fence which marks or substantially marks the boundary between adjoining occupied lands.
- (2) "Commissioner" shall mean the Commissioner of Buildings of the Corporation.
- (3) "Lawful fence" shall mean:

- (a) division fence conforming to the following specifications:

*Height:* five and one-half feet;

*Construction:* boards one inch thick securely nailed in a vertical position and as close as possible to two horizontal 2-inch by 4-inch wooden stringers and supported by 6-inch cedar posts sunk 3 feet 6 inches into the ground at intervals of eight feet; the stringers to be securely spiked to the posts, one at a point one foot above the average level of the ground and the other at a point 4 feet 6 inches above such level; where required by any depression in the ground level, the boards shall be of such additional length as may be necessary to reach ground level; the entire fence to be free of any attachments of any kind whatsoever;

*Position:* the point of contact between the boards and the stringers shall be on the boundary line between the said adjoining occupied lands; where the boundary runs in an easterly and westerly direction the posts shall be located on the property to the south of the boundary, and when the boundary runs in a northerly and southerly direction the posts shall be located on the property to the west of the boundary, except in cases where, according to the prevailing custom in the area in which the fence is erected or to be erected, the posts are otherwise located, in which event the posts shall be located in accordance with the prevailing custom in such area;

*Ground level:* where the ground levels are not the same on both sides of the boundary the higher of such levels shall be considered as ground level for purposes of the fence; or

- (b) a division fence other than a fence described in subsection 1, erected in accordance with specifications agreed upon by the owners of the adjoining lands at the time of the erection thereof, provided that the height thereof shall be at least 3 feet 6 inches and not more than 5 feet 6 inches and that no part thereof shall be composed of barbed wire or other barbed material; or
  - (c) a division fence conforming to specifications fixed by an award of a Board of Arbitrators under this by-law.
- (4) "Occupied lands" shall mean lands which are appurtenant to or used in connection with a building, or which are improved, cultivated, or in actual and apparent possession of any person, but do not include a common or lane.

2. Except as provided in section 3 no division fence shall be erected unless the same is a lawful fence, and no repair, alteration or other work shall be made or done thereto which has the effect of altering the height, construction, position or level thereof so that the same is no longer a lawful fence.

3. In any case where as a result of difference in ground level on one side of a boundary between adjoining occupied lands and the other side thereof there is reason to believe that there will be movement or slipping of the soil across the boundary, the owner of the lands at the higher level shall at his own expense erect and maintain upon his own property a retaining wall sufficient to prevent such movement or slipping.

4. Nothing herein shall prevent the maintenance of a fence during its lifetime if the same was at the time of construction thereof in compliance with all by-laws of the Corporation.

5. No lawful fence or part thereof shall be taken down or removed unless the owners of the respective adjoining lands agree to such taking down or removal.

6. Where either or both of the owners of adjoining occupied lands desires or desire that a division fence be erected or has or have erected a division fence on the boundary between their lands each of such owners shall erect a just proportion thereof, or shall bear a just proportion of the cost of erection thereof.

7. Each of the owners of adjoining occupied lands shall repair, replace or maintain a just proportion of any division fence heretofore or hereafter erected which marks the boundary of their respective properties, or shall bear a just proportion of the cost of any work of repair, replacing or maintenance which has been carried out.

8. Where lands which are not occupied become occupied subsequent to the erection of a division fence marking the boundary between the same and adjoining occupied lands, the owner thereof shall pay to the owner of such adjoining lands as compensation for the fence already constructed his just proportion of the value of the fence in its condition at the time the first-mentioned lands became occupied, which sum shall not exceed One Dollar and Fifty Cents (\$1.50) per foot of such fence, and the owner of such first-mentioned lands shall thereafter repair, replace or maintain a just proportion of such division fence, or bear a just proportion of any work or repair, replacing or maintenance thereof.

9. Where the owners of adjoining lands are unable to agree as to what constitutes a just proportion of the erection, repair, replacing or maintenance of a division fence, or the cost thereof to be borne by each pursuant to sections 6, 7 or 8 or of the amount to be paid as the just proportion of the value of a fence in its present condition at the time unoccupied lands become occupied, pursuant to section 8, or in the event that such owners are unable to agree to the specifications of a division fence, such matters of dispute shall be settled by a Board of Arbitrators constituted as herein-after provided in section 10.

10. The Board of Arbitrators referred to in section 9 shall be constituted and shall proceed as follows:

- (a) If any one of the owners referred to in section 9 notifies the Commissioner in writing that he requires the dispute to be settled by arbitration, and pays a fee of \$15.00, the Commissioner shall thereupon notify each of such owners in writing to appoint an arbitrator on his behalf and to notify the Commissioner of such appointment; provided that where an owner is not the occupant of the property the Commissioner may so notify the occupant, and such occupant shall immediately notify the owner, and if he neglects to do so shall be liable for all damage caused to the owner by such neglect.

(b)



- (b) If any of such owners refuses or neglects to appoint his arbitrator within three days after such notice from the Commissioner is delivered to him or to the occupant of the land owned by him, the Commissioner may proceed, together with any arbitrator that has been appointed by any of the said owners, to settle the dispute.
- (c) The Commissioner together with the arbitrator or arbitrators (if any) appointed by the owners, shall constitute a Board of Arbitrators for the settlement of such dispute.
- (d) In case of an equal division of opinion between the members of the Board of Arbitrators the decision of the Commissioner shall prevail and in all other cases the decision of a majority of the said Board shall prevail, and the award shall be made accordingly.

11. The Board of Arbitrators shall:

- (a) examine the premises and, if required by either party, hear evidence and may examine the parties or their witnesses on oath;
- (b) make an award in writing signed by any two of them, respecting the matters in dispute, specifying the description of any fence to be made, the time within which the work shall be carried out, the party by whom the work is to be done or who shall arrange for the doing of the work, the proportion of the work to be paid for by each party, the amount to be paid by each or either party for work already done, and the basis upon which the costs of the proceedings shall be paid by each or either party;
- (c) in making the award consider the proportion in which the respective parties will benefit or have benefited from the work and reduce accordingly the amount payable by any party whom the Board considers will not benefit or has not benefited to the same extent as the other party.

12. The Commissioner shall deposit the award in the office of the City Clerk and shall cause a copy thereof to be served upon each of the parties.

13. Without limiting any of the provisions of this By-law the provisions of *The Line Fences Act* in respect to enforcement of and appeal from an award made by the fence viewers under the said Act shall *mutatis mutandis* apply to enforcement of and appeal from an award of a Board of Arbitrators pursuant to this by-law.

14. Every person required by an award of the Board of Arbitrators or by a decision of a Judge on an appeal from any such award to pay any money or to perform any work, matter or thing shall pay such money or perform the work, matter or thing in compliance with the said award or decision.

15. The Commissioner may give to the owner of any parcel of land which is not appurtenant to a building or used in connection therewith notice in writing requiring that a fence shall be erected on the boundary between such land and any public highway on which the same abuts, and upon receipt of such notice the owner shall forthwith carry out the requirements thereof.

16. A fence erected pursuant to section 15 shall:

- (a) if constructed of close-fitting boards be at least 5 feet 6 inches in height;
- (b) if constructed of other than close-fitting boards, be sufficient to protect the highway and the public from the creation or continuance of any nuisance or inconvenience as a result of any condition or use of the said lands;

(c)



- (c) be constructed so that the same or any part thereof does not encroach over or upon the highway;
- (d) not be constructed of or have attached thereto any barbed wire or other barbed material, provided that in any land lying within a district designated as a commercial or industrial district under By-law No. 20623 of the Corporation, as amended, or any other restricted area by-law of such Corporation, any portion of the fence at a height of 7 or more feet above the ground may be constructed of or have attached thereto barbed wire or other barbed material;
- (e) be repaired and maintained to the satisfaction of the Commissioner.

17. Except as provided in paragraph (d) of section 16, no person shall construct or maintain a fence composed wholly or partly of barbed wire or other barbed material, or having attached thereto any barbed wire or other barbed material.

18. By-law No. 12262, passed June 4, 1929, and By-law No. 22639, passed November 10, 1965, are repealed.

19. Every person who contravenes any of the provisions of this by-law shall upon conviction thereof forfeit and pay, at the discretion of the convicting magistrate, a penalty not exceeding (exclusive of costs) the sum of Three Hundred Dollars (\$300.00) for each offence.

20. This By-law shall come into force and effect when the same has been passed by the said Council and has been validated by a statute of the Province of Ontario.

PHILIP G. GIVENS,  
*Mayor.*

C. E. NORRIS,  
*City Clerk.*

COUNCIL CHAMBER,  
Toronto, December 8, 1965.

(L.S.)

## CHAPTER 188

## An Act respecting the Township of Toronto

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the Township of <sup>Preamble</sup> Toronto, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Notwithstanding the provisions of any general or special <sup>Sinking fund debentures</sup> Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding  $3\frac{1}{2}$  per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,
  - (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
  - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;

(d)

- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, herein called the Committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security;
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;
- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;
- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;

R.S.O. 1960,  
c. 249

R.S.O. 1960,  
c. 408

- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his stead and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>Assent. <sup>ment</sup>

**3.** This Act may be cited as *The Township of Toronto Act*, <sup>Short title</sup>1966.





## CHAPTER 189

# **An Act respecting The Board of Education of the Township of Toronto**

*Assented to April 6th, 1966*

*Session Prorogued July 8th, 1966*

**W**HEREAS The Board of Education of the Township of Preamble  
Toronto, herein called the Board, by its petition has represented that by grant from the Crown dated the 6th day of November, 1833, there was granted unto William Thompson, James McGrath and Joseph Gardner, "ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Toronto, in the County of Peel and being more particularly described as follows: The east and west halves of Lot 3 in the first concession west of Hurontario Street, in the said Township of Toronto", in trust for the endowment, support and maintenance of a school in the Township of Toronto, reserving one acre thereof for the purpose of a burial ground, and to permit the teacher of such school for the time being to receive and take the rent and profits thereof and to occupy and enjoy the same or, if William Thompson, James McGrath and Joseph Gardner should deem it more for the interest or development of such school, to lease or demise the same or any part of such premises, with the exception of one acre for a burial ground aforesaid, for any term not exceeding twenty-one years; and whereas by order made in the Court of Chancery for the Province of Upper Canada, dated the 6th day of February, 1864, it was ordered that such lands should be vested in the Trustees of School Section No. 12 in the Township of Toronto for the benefit of the school in the school section in accordance with the trusts of the patent and statutes affecting the same; and whereas by By-law No. 1888 of the Township of Toronto dated the 4th day of June, 1955, as amended by By-law No. 1891 dated the 30th day of June, 1955, enacted pursuant to subsections 4 and 6 of section 15 of *The Public Schools Act*, being chapter 316 of the Revised Statutes of Ontario, 1950, Township School Area No. 1 of the Township of Toronto was enlarged by adding thereto the whole of Public School Section No. 12 of the Township of Toronto; and whereas by section 4 of *The Township of Toronto Act, 1962-63* the real property 1962-63,  
c. 190  
in the Township of Toronto that was vested for school purposes in the Public School Board of the Township School Area of

Toronto No. 1 became vested in The Board of Education of the Township of Toronto; and whereas none of such lands has ever been used as a burial ground and the lands at present are not used or required for school purposes although vested in the Board; and whereas the petitioner has prayed for special legislation annulling such trusts and permitting it to sell such lands; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power  
of sale

**1.** The Board shall have full power and authority to sell all or any of that certain parcel or tract of land and premises situate, lying and being in the Township of Toronto, in the County of Peel, and being more particularly described as follows: The east and west halves of Lot 3 in the first concession west of Hurontario Street, in the Township of Toronto, excepting thereout and therefrom that part of the east half of Lot 3 acquired by the Ontario Department of Highways for the widening of the King's Highway No. 10 by registered instrument No. 76351; subject to a perpetual 66-foot right of way in favour of The Hydro-Electric Power Commission of Ontario, for transmission lines and their maintenance, and which right of way was originally reserved in registered instrument No. 37490, and expressly shown on a plan of survey attached to and forming a part of registered instrument No. 37490.

Conveyance  
free of  
trusts

**2.** A deed executed by the chairman and secretary of the Board for the time being under the corporate seal vests in the purchaser all the right, title and interest of the Board in, to or out of the lands and premises conveyed by the deed, free from all trusts whatsoever contained or set out in the above-recited grant and vesting order.

Use of net  
proceeds

**3.** After payment of the expense of obtaining this Act and all proper and reasonable costs, charges and expenses of effecting and carrying out such sale or sales, the Board shall use the net proceeds thereof to defray the cost of the acquisition of public school sites, or for public school capital expenditures, which, in the Board's opinion, would implement the carrying out of the original trust.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Toronto Township Board of Education Act, 1966*.

## CHAPTER 190

**An Act respecting the Town of Weston**

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Corporation of the Town of Weston, <sup>Preamble</sup> herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) The Corporation is authorized and empowered to <sup>Use of untravelled portions of highways</sup> lease or license the use of untravelled portions of highways within those portions of the Town of Weston zoned for commercial or industrial purposes to the owners or occupants of adjoining property for such consideration and upon such terms and conditions as may be agreed.

(2) The Corporation is authorized and empowered to pass <sup>Idem</sup> by-laws regulating and controlling the use of such portions of highways within the Town of Weston, including the use thereof for parking purposes.

(3) This section does not apply to the portions of any high- <sup>Restriction</sup> ways that are under the jurisdiction of The Municipality of Metropolitan Toronto, except such portions as may be designated by by-law of the Metropolitan Council, or that are extensions or connecting links of the King's Highway.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-ment</sup> Assent.

**3.** This Act may be cited as *The Town of Weston Act, 1966.* <sup>Short title</sup>



## CHAPTER 191

# An Act respecting The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor

*Assented to April 6th, 1966  
Session Prorogued July 8th, 1966*

**W**HEREAS The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The lands and premises described in Schedule A attached hereto, being those lands and premises upon which St. Paul's Separate School in the Township of Sandwich West, in the County of Essex, is located, are hereby vested in The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor in fee simple, clear of and free from all rights, title and interest other than those of The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor. Certain lands vested in Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor

**2.** The lands and premises described in Schedule B attached hereto, being those lands and premises formerly owned in fee simple by The Board of Trustees of the Roman Catholic Separate Schools for the Town of Riverside and The Board of Trustees of the Roman Catholic Separate School for Section No. 1 in the Township of Sandwich East and The Board of Trustees of the Roman Catholic Separate School for Section No. 3 in the Township of Sandwich East and The Board of Trustees of the Roman Catholic Separate School for Section No. 5 in the Township of Sandwich East and The Board of the Combined Roman Catholic Separate Schools of the Townships of Sandwich South and Sandwich West, are hereby vested in The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor in fee simple, Idem

clear



clear of and free from all rights, title and interest other than those of The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor.

Registration  
of Act

**3.** The secretary of The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor shall register a copy of this Act, within sixty days after it comes into force, in the Registry Office for the Registry Division of the County of Essex.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The City of Windsor Separate Schools Board Act, 1966*.

## SCHEDULE A

The following lands were formerly in the Township of Sandwich West and are now in the City of Windsor, and were formerly owned by The Board of the Combined Roman Catholic Separate Schools of Sandwich West:

ST. PAUL'S SCHOOL,  
Malden Road,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West and being composed of Lots Nos. eighty-five (85), eighty-six (86), and eighty-seven (87), according to Registered Plan No. 731.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, containing by admeasurement 0.877 acre, more or less, being composed of a part of Block A, amended Registered Plan No. 731, and which said parcel of land is more particularly described as follows: COMMENCING at a point in the western limit of Malden Road, distant one hundred and seventy-five feet (175'), measured on a course of South 4 degrees and 23 minutes West, magnetically, along the said western limit from the northeastern angle of Block A, amended Registered Plan No. 731; thence North 85 degrees and 37 minutes West, magnetically, one hundred and seventy-three feet and three inches (173' 3") to a point; thence North 13 degrees 15 minutes and 50 seconds East, magnetically, forty feet and six inches (40' 6") to a point; thence North 85 degrees and 37 minutes West, magnetically, eighty-six feet and nine inches (86' 9") to a point in the eastern limit of Maple Street; thence North 21 degrees and 27 minutes East, magnetically, along the eastern limit of Maple Avenue, one hundred and forty-one feet and four and one-half inches (141' 4½") to the northwestern angle of the said Block A, the said point being in the southern limit of Grand Boulevard; thence South 85 degrees and 37 minutes East, magnetically, along the southern limit of Grand Boulevard, two hundred and twelve feet (212') to the northeastern angle of the said Block A, the said point being in the western limit of Malden Road; thence South 4 degrees and 23 minutes West, magnetically, along the western limit of Malden Road, one hundred and seventy-five feet (175'), to the place of commencement. The said described parcel being shown in red-coloured margins on the plan of survey hereto attached.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of all of Block "F" according to Registered Plan No. 731.

*Fourthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Lot 155 and Lot 156 according to Registered Plan No. 731.

*Fifthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of FIRSTLY, all of Block "D" according to said Registered Plan No. 731, lying between the northerly extension of the east and west limits of Lot 76 according to said Registered Plan No. 731; SECONDLY, all of Block "E", according to said Registered Plan No. 731, lying between the northerly extension of the east and west of Lot 12 according to said Registered Plan No. 731.

## SCHEDULE B

The following lands were formerly in the Townships of Sandwich South and Sandwich West and are now in the City of Windsor, and were formerly owned by The Board of the Combined Roman Catholic Separate Schools of Sandwich South and Sandwich West:

ST. JUDE'S SCHOOL,  
Locke,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich South, in the County of Essex and Province of Ontario, being composed of part of Farm Lot No. Fifteen (15), Concession 5, in the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING in the intersection of the northerly limit of Registered Plan No. 1579 with the easterly limit of Block "B", according to Registered Plan No. 1552; thence northerly, and following the easterly limits of Blocks "B", "I", and "C", according to Registered Plan No. 1552, four hundred and twenty-six feet (426') to a point, said point being the northeast angle of said Block "C"; thence easterly, and following the easterly production of the southerly limit of Lynn Street, according to Registered Plan No. 1552, four hundred and nine feet (409') to a point; thence southerly, and parallel with the easterly limits of Blocks "B", "I", and "C", according to Registered Plan No. 1552, four hundred and twenty-six feet (426'), more or less, to a point in the northerly limit of Registered Plan No. 1579; thence westerly, and following the last-mentioned limit, four hundred and nine feet (409'), more or less, to the place of beginning. Containing by admeasurement the sum of four acres (4 acs.), be the same more or less.

ST. HUBERT'S SCHOOL,  
California Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, being composed of Lot 387 to Lot 405, inclusive, according to Registered Plan No. 1023.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, being composed of Lot 563 to Lot 581, inclusive, according to Registered Plan No. 1023.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, being composed of Lot 843 to Lot 861, inclusive, according to Registered Plan No. 1023.

*Fourthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, being composed of Lot 1023 to Lot 1041, inclusive, according to Registered Plan No. 1023.

OUR LADY OF MOUNT CARMEL SCHOOL,  
Cousineau Road,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, containing by admeasurement four (4) acres more or less, being composed of Lots 639 to 646 both inclusive,

Lots 467 to 474 both inclusive, part of Lots 466, 475, 476, 637, 638 and 647, part of Lots 533, 534, 535, 584 and 585, Block "B", Block "C", Block "D", Block "E" and Block "F", all according to Registered Plan No. 1361, and which said parcel of land is more particularly described as follows: COMMENCING at a point in the northern limit of Fifth Concession Road, distant six and eighty-three one-hundredths feet (6.83') measured on a course of North 76 degrees and 18 minutes East, along the said northern limit from the southwestern angle of Lot No. four hundred and sixty-six (466), according to Registered Plan No. 1361; thence North 25 degrees and 14 minutes West, and parallel with the western limit of the said Lot No. four hundred and sixty-six (466), three hundred and fifty feet (350') to a point in Shelley Drive; thence South 76 degrees and 18 minutes West and parallel with the northern limit of Fifth Concession Road, five hundred and eight and eight one-hundredths feet (508.08') to a point in Byron Drive; thence South 25 degrees and 14 minutes East three hundred and fifty feet (350') to a point in the northern limit of Fifth Concession Road, the said point being distant one and nine-tenths feet (1.9') measured on a course of South 76 degrees and 18 minutes West, along the said northern limit from the southeastern angle of Lot No. six hundred and forty-seven (647), according to Registered Plan No. 1361; thence North 76 degrees and 18 minutes East along the northern limit of Fifth Concession Road five hundred and eight and eight one-hundredths feet (508.08') to the place of commencement.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Block "Y", according to Registered Plan No. 1361 as amended by Instrument No. 229818.

ST. PATRICK'S SCHOOL,  
Superior,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Lot 351 to Lot 360, inclusive, according to Registered Plan No. 1325.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Lot 441 to Lot 453, inclusive, according to Registered Plan No. 1325.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Block "D" according to Registered Plan No. 1325.

*Fourthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of that part of Block "E" according to Registered Plan No. 1325, more particularly described as follows: Bounded on the north by the extension easterly of the northerly limit of Lot 453; on the east by the centre line of Block "E"; on the south by the northerly limit of Block "D", and on the west by the easterly limit of Lot 453.

*Fifthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of all of Block "E" according to Registered Plan No. 1325, save and except that part as described in Instrument No. 112186.

NOTRE DAME SCHOOL,  
Partington Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County



of Essex and Province of Ontario, and being composed of Lot 1045 to Lot 1062, inclusive, and all of Lot 1064 and all of Block "K" and Block "G" according to Registered Plan No. 1307.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Block "D" and Lot 1 to Lot 13, inclusive, according to Registered Plan No. 1337.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of Block "B" according to Registered Plan No. 1622.

ST. THOMAS SCHOOL,  
Thompson Boulevard,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, containing by admeasurement 1.786 acres, more or less, being composed of a part of Block B, according to Registered Plan No. 688, and which said parcel of land is more particularly described as follows: COMMENCING at the northwestern angle of Block B, Registered Plan No. 688, the said point being the intersection of the southern limit of Chappus Street and the eastern limit of Main Street; thence South 71 degrees 29 minutes and 30 seconds East, along the southern limit of Chappus Street, three hundred and fifty feet (350') to a point; thence South 18 degrees 33 minutes and 30 seconds West, and parallel with the eastern limit of Main Street, two hundred and forty-four and forty-one one-hundredths feet (244.41') to a point; thence North 71 degrees 25 minutes and 30 seconds West, two hundred and forty feet (240') to a point; thence North 18 degrees 33 minutes and 30 seconds East, seventy feet (70') to a point; thence North 71 degrees 25 minutes and 30 seconds West, one hundred and ten feet (110') to a point in the eastern limit of Main Street; thence North 18 degrees 33 minutes and 30 seconds East along the eastern limit of Main Street, one hundred and forty-four feet (144') to the place of commencement. The said described parcel being shown in red-coloured margins on the plan hereto attached.

ST. GABRIEL SCHOOL,  
1400 Roselawn Drive,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, being composed of all of Lot 181 to Lot 193, inclusive, Block "H" and part of Block "I", all according to Registered Plan No. 1326, and part of Farm Lot seventy-one (71) in the Third Concession in the said Township of Sandwich West, and which said parcel or tract may be more particularly described as follows: COMMENCING at an iron bar planted at the intersection of the northerly production of the easterly limit of said Lot No. one hundred and ninety-three (193) with the centre line of Beals Street, according to Registered Plan No. 1326; thence westerly, following the said centre line of Beals Street and its westerly production, four hundred and three feet four inches (403' 4"), more or less, to an iron bar planted in the westerly limit of said Farm Lot 71; thence southerly, following the last-mentioned limit, nine hundred and eighty-seven feet two inches (987' 2"), more or less, to an iron bar; thence easterly, parallel with the said centre line of Beals Street and its westerly production, four hundred and three feet four inches (403' 4") to an iron bar planted in the easterly limit of said Lot 178; thence northerly following the last-mentioned limit and along the easterly limit of said Lot one hundred and seventy-nine (179) and its northerly production to and along the easterly limit of said Lot one hundred and eighty-two (182), and continuing northerly along the easterly limit of said Lots one



hundred and eighty-three (183) to one hundred and ninety-three (193), inclusive, and the northerly production of said Lot one hundred and ninety-three (193), nine hundred and eighty-seven feet two inches (987' 2"), more or less, to the place of beginning, containing by admeasurement the sum of nine and fourteen one-hundredths acres (9.14 ac.), be the same more or less, EXCEPTING thereout and therefrom that part of Curry Avenue, Roselawn Drive and Beals Street, which are within the limits of the herein-described parcel.

CHRIST THE KING SCHOOL,  
1200 Grand Marais,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, containing by admeasurement one and five-hundredths (1.05) acres, more or less, being composed of a part of Farm Lot No. seventy-two in the Third Concession of said Township, and which said parcel of land may be more particularly described as follows: COMMENCING at a point in the easterly limit of said Farm Lot, distant one hundred and ninety-four (194) feet and seven (7) inches measured northerly along said easterly limit from the northerly limit of the Grand Marais Road as widened to 33 feet measured northerly at right angles from the centre line of the now existing Road, said point being the northeast angle of lands of the Separate School; thence northerly along the said easterly limit of said Farm Lot two hundred and thirteen (213) feet and two (2) inches to a point, said point being distant five hundred and forty-six (546) feet measured southerly along said easterly limit from the southerly limit of LaBelle St. produced easterly; thence westerly and parallel with the said southerly limit of LaBelle St., one hundred and seventy-four (174) feet to a point; thence South 25 degrees and thirty-one minutes East three hundred and twenty-two (322) feet and ten (10) inches to a point, said point being distant one hundred and thirty-five (135) feet measured on a course of North 25 degrees and 31 minutes West from the northerly limit of the Grand Marais Road as widened; thence easterly and parallel with the northerly limit of the Grand Marais Road as widened eighty-one (81) feet and seven (7) inches, more or less, to a point in the westerly limit of said School lands; thence northerly along the westerly limit of said School lands sixty-three (63) feet and nine (9) inches to the north-west angle of said lands; thence easterly along the northerly limit of said School lands one hundred (100) feet and two (2) inches, more or less, to the place of beginning.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich West, in the County of Essex and Province of Ontario, and being composed of the west one-half of Block "M", according to Registered Plan No. 1307, lying between the easterly extension of the north limit of Lot 1045 and the easterly extension of the southerly limit of Lot 1062; and also that part of the north one-half of Block "M", according to Registered Plan No. 1307, lying between the southerly extension of the west limit of Lot 1062 and a line drawn parallel to the east limit of said Lot 1062 and distant seven and one-half feet ( $7\frac{1}{2}'$ ) easterly therefrom; and also that part of the south one-half of Block "M", according to Registered Plan No. 1307, lying between the northerly production of the west limit of Lot 1064 and the northerly production of the east limit of Lot 1064.

And Subject to an Easement in favour of The Bell Telephone Company of Canada and The Corporation of the Township of Sandwich West over the hereinbefore-described lands for the purpose of installing and maintaining pole lines, pipe lines and other installations for the carrying and providing of utilities and services in the course of their operation.

The following lands were formerly in the Township of Sandwich East and are now in the City of Windsor, and were formerly owned by The Board of Trustees of the Roman Catholic Separate School for Section No. 5, in the Township of Sandwich East:

ST. CHRISTOPHER'S SCHOOL,  
3355 Woodward Boulevard,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of part of Block "B", according to Registered Plan No. 1513, in the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING in the intersection of the northerly limit of Foster Avenue with the westerly limit of Woodward Boulevard; thence northerly following the last-mentioned limit four hundred and seventy feet to a point distant thirty feet measured southerly in the said westerly limit of Woodward Avenue from the northerly limit of said Block "B"; thence westerly parallel with the last-mentioned limit two hundred and eighty-two feet one inch to a point in the westerly limit of said Block "B"; thence southerly following the last-mentioned limit four hundred and seventy feet to the said northerly limit of Foster Avenue; thence easterly following the last-mentioned limit, two hundred and eighty-one feet seven inches to the place of beginning.

OUR LADY OF PERPETUAL HELP SCHOOL,  
Parent Boulevard and Grand Marais Road,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of part of Farm Lot 89, in the Second Concession, Lots 32 to 38 inclusive and part of Lot 39, according to Registered Plan No. 1373 and that part of the alley (now closed) lying immediately west of said Lots 32 to 38 inclusive and part of Lot 39 and shown on said Plan, and which said parcel or tract may be more particularly described as follows: COMMENCING in the intersection of the southerly limit of Capitol Street with the westerly limit of Parent Boulevard, as shown on said Registered Plan No. 1373; thence South twenty-five degrees twelve minutes East (S. 25° 12' E.) following the last-mentioned limit, two hundred and seventy-four feet (274') to the easterly production of the centre line of Charles Street; thence South sixty-four degrees thirty-one minutes West (S. 64° 31' W.) following the said easterly production of the centre line of said Charles Street and parallel with the southerly limit of Capitol Street and its westerly production, two hundred and fifty-nine feet eleven inches (259' 11"); thence North twenty-five degrees fifty-four minutes West (N. 25° 54' W.) parallel with the limit between Farm Lots 89 and 90, two hundred and seventy-four feet (274') to a stake planted in the westerly production of the southerly limit of Capitol Street, as shown on said Registered Plan No. 1373; thence North sixty-four degrees thirty-one minutes East (N. 64° 31' E.) following the westerly production of the said southerly limit of Capitol Street and continuing easterly along the said southerly limit of Capitol Street, two hundred and sixty-three feet three inches (263' 3"), more or less, to the place of beginning.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, and being composed of Lot 32 to Lot 47, inclusive, according to Registered Plan No. 1373.

BISHOP CODY SCHOOL  
(Proposed)

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, and being composed of part of Farm Lot No. ninety-two (92), in the Third Concession of the said Township of Sandwich East, more particularly described as follows: COMMENCING at a point on the southerly limit of E. C. Row Avenue (as widened) by Instrument No. 168891 Registered, where the same is intersected by the easterly limit of Registered Plan No. 1026 for the Township of Sandwich

East; thence southerly following the said easterly limit of Registered Plan No. 1026 seven hundred and thirty-nine and eighty-seven one-hundredths feet (739.87') to an iron bar; thence easterly and parallel with the southerly limit of E. C. Row Avenue (as widened) three hundred feet (300') to an iron bar; thence northerly and parallel with the easterly limit of Registered Plan No. 1026 seven hundred and thirty-nine and eighty-seven one-hundredths feet (739.87') to the southerly limit of E. C. Row Avenue (as widened by Instrument No. 168891); thence westerly following the said southerly limit of E. C. Row Avenue (as widened) three hundred feet (300') to the place of beginning.

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The following lands were formerly in the Township of Sandwich East and are now in the City of Windsor, and were formerly owned by The Board of Trustees of the Roman Catholic Separate School for Section No. 3, in the Township of Sandwich East:

ST. ANNE'S SCHOOL,  
1124 Monmouth Road,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, County of Essex, Province of Ontario, containing by admeasurement one and fifty-two hundredths ( $1\frac{52}{100}$ ) acres more or less, being composed of part of Lot 127, McNiff's Survey, in the Second Concession of the said Township of Sandwich East, and which may be more particularly described as follows: COMMENCING at a point in the westerly limit of the Lauzon Road at its intersection with the easterly production of the southerly limit of Rose Avenue, said point being distant four hundred and fifty (450) feet, more or less, from the southerly limit of Tecumseh Road, measured southerly along said westerly limit; thence South sixty-four degrees forty minutes West astronomically along said easterly production three hundred and thirty-two (332) feet eight (8) inches to a point; thence South twenty-four degrees fifty-two minutes East astronomically parallel to the said westerly limit of Lauzon Road two hundred (200) feet to a point; thence North sixty-four degrees forty minutes East astronomically three hundred and thirty-two (332) feet eight (8) inches to the said westerly limit of the Lauzon Road; thence North twenty-four degrees fifty-two minutes West astronomically along the said limit two hundred (200) feet to the place of beginning.

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The following lands were formerly in the Township of Sandwich East and are now in the City of Windsor, and were formerly owned by The Board of Trustees of the Roman Catholic Separate School for Section No. 1, in the Township of Sandwich East:

ST. ALEXANDER SENIOR SCHOOL,  
5305 Adstoll Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of part of Farm Lot 113 in the Second Concession in the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING at a point in the easterly production of the centre line of Adstoll Avenue as shown on Registered Plan No. 1214, said point being distant one hundred and nineteen and five-tenths feet (119.5'), measured easterly in that production from the easterly limit of said Registered Plan No. 1214, being the easterly limit of a fourteen-foot (14') alley, shown immediately east of and adjoining the easterly limit of Lots 31 and 51, inclusive, Registered Plan No. 1214; thence easterly, following the said easterly production of the centre line of Adstoll Avenue, two hundred and forty and thirty-five one-hundredths feet (240.35'), more or less, to an iron pin placed in the intersection of the easterly production of the said centre line of Adstoll Avenue with the easterly limit of said Farm Lot 113; thence southerly, following the last-mentioned limit five hundred and one and forty-eight one-hundredths feet (501.48') to an iron stake distant three hundred and sixty-four



feet (364') measured northerly in the said easterly limit of said Farm Lot 113, from the easterly production of the centre line of Rose Avenue, as shown on said Registered Plan No. 1214; thence westerly, parallel with the said easterly production of the said centre line of Rose Avenue, three hundred and fifty-nine and twenty-two one-hundredths feet (359.22') to an iron stake planted in the said easterly limit of said fourteen-foot (14') alley; thence northerly, following the last-mentioned limit, two hundred and seventy-six and sixty-two one-hundredths feet (276.62'), more or less, to a point distant two hundred and twenty-five feet (225') measured southerly in the easterly limit of said alley from the easterly production of the said centre line of Adstoll Avenue; thence easterly, parallel with the last-mentioned production, one hundred and nineteen and five-tenths feet (119.5'); thence northerly, parallel with the easterly limit of said alley, two hundred and twenty-five feet (225') to the place of beginning; containing by admeasurement the sum of three and fifty-two one-hundredths acres (3.52 ac.) more or less.

Together with a right-of-way over a strip of land having a perpendicular width of thirty-three feet (33'), and extending from the westerly limit of the hereinbefore-described parcel westerly to the easterly limit of Registered Plan No. 1214, the northerly limit of said right-of-way being in the easterly production of the centre line of Adstoll Avenue.

Save and Except that certain parcel or tract of land on the westerly limit of Farm Lot 113, Concession two, in the said Township of Sandwich East conveyed to The Corporation of the Township of Sandwich East for the purpose of establishing a public road, which said parcel or tract may be more particularly described in Instrument No. 255769.

ST. THERESE SCHOOL,  
5305 Tecumseh Road East,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of part of Farm Lot 113, according to McNiff's Survey, in the Second Concession of the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING at a stake in the southerly limit of the Tecumseh Road (as widened) distant one hundred and twenty-one feet seven inches (121' 7") measured easterly along the said southerly limit of Tecumseh Road from the northeast angle of Lot 1, according to Registered Plan No. 1214; thence southerly and parallel with the easterly limit of said Lot 1, and continuing southerly parallel with the easterly limit of the easterly alley as shown on said Registered Plan No. 1214, ten hundred and eighty-three feet five inches (1083' 5"), more or less, to a stake planted in the easterly production of the centre line of Adstoll Avenue as shown on said Registered Plan No. 1214; thence easterly, along the easterly production of the centre line of Adstoll Avenue, two hundred and forty feet seven inches (240' 7"), more or less, to a stake planted in the easterly limit of Farm Lot No. 113; thence northerly along the last-mentioned limit eight hundred and eighty-eight feet two inches (888' 2") to a stake; thence westerly parallel with the said southerly limit of Tecumseh Road fifty feet (50') to a stake; thence northerly parallel with the said easterly limit of Farm Lot 113, one hundred and fifty feet (150') to a stake planted in the said southerly limit of the Tecumseh Road; thence westerly following the last-mentioned limit one hundred and ninety-four feet seven inches (194' 7"), more or less, to a place of beginning; containing by admeasurement the sum of five and sixty-nine one-hundredths acres (5.69 acs.), be the same more or less.

ST. VINCENT DE PAUL SCHOOL,  
6038 Elizabeth Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, and being composed of part of Farm

Lot 116, (McNiff's Survey), Concession 1, in the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING at a stake planted in the northwest angle of Lot 37 as shown on Registered Plan No. 799, said point being in the intersection of the westerly limit of Registered Plan No. 799 (being the easterly limit of Farm Lot 116) with the southerly limit of Bertha Street as shown on said Registered Plan No. 799; thence South seventy-five degrees twenty-two minutes West following the said westerly production of the said southerly limit of Bertha Street twelve feet five inches (12' 5") to a stake; thence South seventy-three degrees eight minutes West one hundred and ninety-six feet eleven inches (196' 11"), more or less, to a stake planted in the easterly limit of a fourteen-foot (14') alley immediately east of Lot 131 according to Registered Plan No. 1037, said stake being also in the easterly limit of said Registered Plan No. 1037; thence South twenty-five degrees eleven minutes East following the last-mentioned limit one thousand forty-two feet six inches (1,042' 6") to a point; thence North seventy-four degrees forty-four minutes East one hundred and ninety-eight feet eleven and one-half inches (198' 11½") to a point in the westerly production of the southerly limit of Elizabeth Street as shown on said Registered Plan No. 799; thence North seventy-five degrees twenty-two minutes East following the said southerly limit of Elizabeth Street eleven feet eleven and one-half inches (11' 11½") to a stake planted in the northwest angle of Lot 56 as shown on Registered Plan No. 799, said stake being in the intersection of the southerly limit of Elizabeth Street with the said westerly limit of Registered Plan No. 799, being the easterly limit of said Farm Lot 116; thence North twenty-five degrees thirteen minutes West following the last-mentioned limit one thousand forty-eight feet two inches (1,048' 2"), more or less, to the place of beginning, Save and Except that certain parcel or tract of land on the southerly limit of Farm Lot 116, Concession 1, in the said Township of Sandwich East, conveyed to The Corporation of the Township of Sandwich East for the purpose of continuation of Elizabeth Street, which said parcel or tract may be more particularly described in Instrument No. 110785.

ST. JOAN OF ARC SCHOOL,  
4500 Somme Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, and being composed of Lot 104 to Lot 113, inclusive, and Block "B" according to Registered Plan No. 1123.

MOST PRECIOUS BLOOD SCHOOL,  
3400 Somme Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of part of Farm Lot No. one hundred and two (102) in the Second Concession of the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING at a point in the limit between Farm Lots one hundred and one (101) and one hundred and two (102), distant four hundred feet (400') measured southerly in that limit from the southerly limit of Ypres Avenue; thence easterly, parallel with the last-mentioned limit, six hundred and eighty-six feet two inches (686' 2"), more or less, to a point in the southerly production of the westerly limit of Central Avenue as shown on Registered Plan No. 1446; thence southerly following the said southerly production of the westerly limit of Central Avenue, four hundred feet (400'), more or less, to a point in the easterly production of the northerly limit of Somme Avenue; thence westerly, following the said easterly production of the northerly limit of Somme Avenue, six hundred and eighty-six feet two inches (686' 2"), more or less, to the said limit between Farm Lots one hundred and one (101) and one hundred and two (102); thence northerly, following the last-mentioned limit, four hundred feet (400'), more or less, to the place of beginning; containing by admeasurement the sum of six and three-tenths acres (6.3 acs.), be the same more or less.



## (Proposed School)

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of part of Farm Lot 113, in the Second Concession of the said Township, and which said parcel or tract may be more particularly described as follows: COMMENCING at an iron pin planted in the easterly limit of a fourteen-foot (14') alley, and being in the easterly limit of Registered Plan No. 1214, at a distance of three hundred and sixty-four feet (364') measured northerly in the said easterly limit of Registered Plan 1214, from the easterly production of the centre line of Rose Avenue, as shown on said Registered Plan No. 1214; thence easterly, parallel with the said easterly production of the said centre line of Rose Avenue, three hundred and fifty-nine and twenty-two one-hundredths feet (359.22') to an iron stake planted in the easterly limit of said Farm Lot 113; thence southerly, following the last-mentioned limit, two hundred and ten feet (210'), more or less, to an iron stake distant one hundred and fifty-four feet (154') measured northerly in the said easterly limit of Farm Lot 113, from the easterly production of the said centre line of Rose Avenue; thence westerly, following the said easterly production of the said centre line of Rose Avenue, three hundred and fifty-nine and seventeen one-hundredths feet (359.17') to an iron stake planted in the said easterly limit of said Registered Plan No. 1214; thence northerly, following the last-mentioned limit, two hundred and ten feet (210') to the place of beginning; containing by admeasurement the sum of one and seventy-three one-hundredths acres (1.73 ac.) be the same more or less. TOGETHER WITH an easement for the purpose of entering, constructing, maintaining, repairing, renewing, replacing and supplementing a sewer in, over, under and upon the lands more particularly described as follows: COMMENCING at an iron stake planted in the easterly limit of Farm Lot 113, in the Second Concession of the said Township, distant one hundred and fifty-four feet (154') measured northerly in the said easterly limit of Farm Lot 113 from the easterly production of the centre line of Rose Avenue as shown on Registered Plan No. 1214; thence southerly following the said easterly limit of Farm Lot 113, one hundred and fifty-four feet (154') to a point in the said easterly production of said Rose Avenue; thence westerly following the said easterly production ten feet (10') to a point; thence northerly and parallel with the said easterly limit of Farm Lot 113, one hundred and fifty-four feet (154') to a point; thence easterly and parallel with the said easterly production of said centre line of Rose Avenue ten feet (10') to the place of beginning. Save and Except that certain parcel or tract of land on the westerly limit of Farm Lot 113, Concession 2, in the said Township of Sandwich East, conveyed to The Corporation of the Township of Sandwich East for the purpose of establishing a public road, which said parcel or tract may be more particularly described in Instrument No. 255769.

The following lands were formerly in the Town of Riverside and are now in the City of Windsor, and were formerly owned by The Board of the Combined Roman Catholic Separate Schools of the Town of Riverside:

RIVERSIDE SEPARATE SCHOOL BOARD,  
136 St. Rose Boulevard,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of part of Block "A", according to Registered Plan No. 1058, and which parcel may be more particularly described as follows: COMMENCING at the southwest angle of Block "A"; thence northerly and along the easterly limit of St. Rose Avenue, one hundred and twenty-nine and three-tenths feet (129.3'); thence easterly and parallel to the northerly limit of Block "A", seventy-nine and one-tenth feet (79.1'), more or less, to the westerly limit of Virginia Street; thence southerly and along the westerly limit of Virginia Street, one hundred and sixty-eight feet (168'), more or less, to the northerly limit of St. Rose Avenue; thence west and along the northerly limit of St. Rose Avenue, eighty-eight and two-tenths feet (88.2'), more or less, to the place of beginning.

ST. ROSE SCHOOL,

ST. ROSE SCHOOL,  
145 St. Rose Avenue,  
Windsor, Ontario.

ST. PETER'S SCHOOL,  
St. Rose Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, containing by admeasurement 688/1000ths acres more or less and being composed of part of Farm Lot 122, McNiff's Survey, in the said Town of Riverside, and which may be more particularly described as follows: COMMENCING at the intersection of the easterly limit of Parkview Avenue with the northerly limit of Howard Avenue; thence North  $25^{\circ} 10'$  West along the said easterly limit 178' to the southerly limit of another parcel of land belonging to the Separate School Board; thence easterly along the said southerly limit,  $144' 10''$  to the easterly limit of the lands of the Grantor; thence southerly along the said easterly limit  $236' 6''$  to the said northerly limit of Howard Avenue; thence South  $86^{\circ} 33'$  West along the said northerly limit  $155' 10''$ , more or less, to the place of beginning.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of part of Ontario Street (formerly Howard Avenue) as shown on Registered Plans Nos. 1145 and 1247, in the said Town, and which said parcel or tract may be more particularly described as follows: COMMENCING at a stake planted in the intersection of the easterly limit of Parkview Avenue with the northerly limit of Ontario Street (formerly Howard Avenue); thence South twenty-five degrees ten minutes East ( $S. 25^{\circ} 10' E.$ ) following the said easterly limit of Parkview Avenue, seventy-one and four one-hundredths feet ( $71.04'$ ) to the intersection of the said easterly limit of Parkview Avenue with the southerly limit of Ontario Street; thence North eighty-six degrees thirty-three minutes East ( $N. 86^{\circ} 33' E.$ ) following the last-mentioned limit, ten and twenty-four one-hundredths feet ( $10.24'$ ) to a point in a line running easterly parallel with the southerly limit of Lot 4, according to Registered Plan No. 1247, from a stake in the easterly limit of Parkview Avenue distant one hundred and four one-hundredths feet ( $100.04'$ ) measured northerly in that limit from the said southerly limit of said Lot 4; thence easterly, parallel with the last-mentioned limit two hundred and ninety-two one-hundredths ( $200.92'$ ) to a stake planted in the northerly limit of Ontario Street; thence South eighty-one degrees thirty-two minutes West ( $S. 81^{\circ} 32' W.$ ) following the last-mentioned limit, fifty-six and three-tenths feet ( $56.3'$ ) to a bend in the northerly limit of Ontario Street; thence South eighty-six degrees thirty-three minutes West ( $S. 86^{\circ} 33' W.$ ) continuing along the said northerly limit of Ontario Street, one hundred and fifty-eight and thirty-five one-hundredths feet ( $158.35'$ ), more or less, to the place of beginning.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of part of Parkview Avenue, according to Registered Plan No. 1247 and which said parcel or tract may be more particularly described as follows: COMMENCING at an iron bar planted in an intersection of the southerly limit of Wyandotte Street with the easterly limit of Parkview Avenue; thence southerly and following the said easterly limit of Parkview Avenue seven hundred and forty-one and eighty-four one-hundredths feet ( $741.84'$ ), more or less, to a point, said point being distant one hundred and four one-hundredths feet ( $100.04'$ ), more or less, measured northerly in said easterly limit of Parkview Avenue from the southerly limit of Lot 4, according to Registered Plan No. 1247; thence westerly and at right angles to the easterly limit of Parkview Avenue sixty-six feet ( $66'$ ) to a point in the westerly limit of Parkview Avenue; thence northerly and following the westerly limit of Parkview Avenue seven hundred and sixty and fifty-seven one-hundredths feet ( $760.57'$ ), more or less, to a point in the southerly limit of Wyandotte Street; thence easterly and following the said southerly limit of Wyandotte Street sixty-seven and one-tenth feet ( $67.1'$ ) to the place of beginning.

*Fourthly:*

*Fourthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 1 to Lot 8, inclusive, according to Registered Plan No. 1247.

OUR LADY OF FATIMA SCHOOL,  
200 Elinor,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex, and being a portion of Farm Lot No. 139, formerly in the First Concession of the Township of Sandwich East, and more particularly described as follows: COMMENCING at a post planted at the northwest corner of Lot No. one (1) according to Registered Plan No. 1094; thence North seventy-seven (77) degrees forty-two minutes East magnetically along the northerly limit of said Lot No. one (1) a distance of one hundred and seventy-seven (177) feet four (4) inches, more or less, to a line between Farm Lots Nos. 139 and 140; thence North twelve (12) degrees twenty-nine (29) minutes West magnetically along the line between Farm Lots 139 and 140 a distance of four hundred and seventeen (417) feet four (4) inches, more or less, to an iron post marking the southeast angle of Lot No. one (1) according to Registered Plan No. 978; thence South seventy-seven (77) degrees forty-two (42) minutes West magnetically along the southerly limit of said Lot No. one (1) according to Plan No. 978, one hundred and four (104) feet two (2) inches, more or less, to the easterly limit of Elinor Street, as shown on said Plan No. 978; thence South twelve (12) degrees twenty-nine (29) minutes East magnetically sixty-six (66) feet to a point; thence South seventy-seven (77) degrees forty-two (42) minutes West magnetically along the southerly limit of proposed LaSalle Street as referred to in an Agreement between Ada Violet Whitmore and Oliver R. Scott and Nicholas Balard, registered as No. 593 for the Town of Riverside, a distance of seventy-three (73) feet two (2) inches; thence South twelve (12) degrees fifty (50) minutes East magnetically along the easterly limit of the production northerly of Elinor Street as shown on Plan No. 1094 a distance of three hundred and fifty-one (351) feet four (4) inches, more or less, to the place of beginning and containing by admeasurement 1.588 acres more or less.

ST. MARLIA GORRETTI SCHOOL,  
520 Eastlawn Boulevard,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 64 to Lot 86, inclusive, and the south half of Lot 87 according to Registered Plan No. 1211.

ST. CECILE SCHOOL,  
Dieppe,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Block "A" according to Registered Plan No. 1134.

ST. LOUIS SCHOOL,  
2150 Raymond Avenue,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 264 to Lot 272, inclusive, according to Registered Plan No. 959.

*Secondly:*



*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 323 to Lot 329, inclusive, according to Registered Plan No. 1247.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of that portion of Melbourne Street abutting Lots two hundred and sixty-three (263) to two hundred and seventy-two (272), inclusive, according to Registered Plan No. 959, and abutting Lots three hundred and twenty-two (322) to three hundred and twenty-nine (329), inclusive, according to Registered Plan No. 1247.

ST. WILFRED SCHOOL,  
451 Westchester Drive,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 74 to Lot 81, inclusive, according to Registered Plan No. 1564.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 375 to Lot 382, inclusive, according to Registered Plan No. 1566.

ST. THOMAS SCHOOL,  
Thompson Boulevard,  
Windsor, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 24 to Lot 31, inclusive, according to Registered Plan No. 1173.

*Secondly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, being composed of **FIRSTLY:** Lot No. twenty (20) on the west side of Prado Place, according to Registered Plan No. 841, and **SECONDLY:** COMMENCING in the northwest corner of Lot No. twenty (20) according to Registered Plan No. 841; thence westerly in a line perpendicular to the westerly limit of said Lot No. twenty (20) a distance of fourteen (14) feet, more or less, to the easterly limit of Lot No. twenty-three (23) according to Registered Plan No. 1173; thence southerly in a straight line along the said easterly limit of said Lot No. twenty-three (23) and Lot No. twenty-four (24) according to said Registered Plan No. 1173 a distance of forty (40) feet, more or less, to a point; thence easterly in a line perpendicular to the last-mentioned line to the southwest corner of said Lot No. twenty (20); thence northerly along the westerly limit of said Lot No. twenty (20) to the place of beginning, being part of an alley as shown on Registered Plan No. 1173.

*Thirdly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, more particularly described as follows: COMMENCING in the northwest corner of Lot No. twenty-one (21), according to Registered Plan No. eight hundred and forty-one (841); thence southerly along the westerly limit of said Lot No. twenty-one (21) a distance of forty feet (40'), more or less, to the southwest corner of said Lot No. twenty-one (21); thence westerly in a straight line to the easterly limit of Lot No. twenty-five (25) according to Registered Plan No. eleven hundred and seventy-three (1173); thence northerly along the easterly limit of said Lot No. twenty-five (25) a distance of forty feet (40'), more or less, to a point; thence easterly in a straight line to the place of beginning, the foregoing part of an alley according to Registered Plan No. 1173.

*Fourthly:*

*Fourthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot No. twenty-seven (27), on the west side of Prado Place, according to Registered Plan No. eight hundred and forty-one (841). And that part of an alley in the rear of the said Lot No. 27, according to the said Registered Plan No. 841, more particularly described as follows: COMMENCING in the southwest corner of said Lot 27, Registered Plan No. 841; thence westerly on the production westerly of the southerly limit of the said Lot 27, a distance of fourteen feet (14'), more or less, to a point; thence northerly in a straight line parallel to the said westerly limit of the said Lot No. 27, a distance of forty feet (40'), more or less, to a point; thence easterly in a straight line to the northwest corner of the said Lot 27; thence southerly in a straight line along the westerly limit of the said Lot 27, to the place of beginning.

*Fifthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of part of an alley as shown on Registered Plan No. 841 in the said Town of Riverside, more particularly described as follows: COMMENCING in the northwest angle of Lot No. twenty-four (24) according to Registered Plan No. 841; thence southerly in a straight line along the westerly limit of Lot No. twenty-four (24) and the westerly limit of Lot No. twenty-five (25) according to Registered Plan No. 841 to the southwest angle of Lot No. twenty-five (25); thence westerly in a straight line perpendicular with the last-mentioned line to the westerly limit of the alley as shown on said Registered Plan No. 841 abutting said Lots twenty-four and twenty-five (24 and 25); thence northerly along the said westerly limit of said alley a distance of eighty feet (80'), more or less, to a point which would be bisected by the extension westerly of the northerly limit of said Lot No. twenty-four (24); thence easterly in a straight line to the place of commencement. All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lots Nos. twenty-four and twenty-five (24 and 25) according to Registered Plan No. eight hundred and forty-one (841).

*Sixthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of Lot 21, Lot 22, Lot 23 and Lot 24 according to Registered Plan No. 841.

*Seventhly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being that part of an alley, now closed according to Registered Plan No. 1173 and more particularly described as follows: COMMENCING at the northwest angle of Lot 22; thence westerly along the production westerly of the north limit of Lot 22, a distance of fourteen feet (14') to a point; thence south and parallel with the westerly limit of Lot 22 and Lot 23 a distance of eighty feet (80') to a point in the production westerly of the south limit of Lot 23; thence easterly along the westerly production of the south limit of Lot 23 a distance of fourteen feet (14') to the southwest angle of Lot 23; thence northerly along the westerly limit of Lot 23 and Lot 22 a distance of eighty feet (80') to the point of commencement.

*Eighthly:* All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being that part of an alley, now closed according to Registered Plan No. 1173 and more particularly described as follows: COMMENCING at the northwest angle of Lot 26; thence westerly along the production westerly of the north limit of Lot 26 a distance of fourteen feet (14') to a point; thence south and parallel with the westerly limit of Lot 26 a distance of forty feet (40') to a point in the production westerly of the south limit of Lot 26; thence easterly along the westerly production of the south limit of Lot 26 a distance of fourteen feet (14') to the southwest angle of Lot 26; thence northerly along the westerly limit of Lot 26 a distance of forty feet (40') to the point of commencement.



## (Vacant School Site)

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, and being composed of part of Farm Lot 145, (McNiff's), Concession 1, and part of Jerome Street as shown on Registered Plan No. 1091 (being a plan of proposed streets) for the Town of Riverside, and which said parcel or tract may be more particularly described as follows: COMMENCING at an iron bar planted in the intersection of the southerly limit of Wyandotte Street with the easterly limit of Farm Lot 145, Concession 1; thence southerly, following the said easterly limit of Farm Lot 145, seven hundred and two and thirty-three one-hundredths feet (702.33') to a stake planted in the northerly limit of St. Rose Avenue (Intersection Road) as shown on Registered Plan No. 1091, for the Town of Riverside; thence westerly and following the said northerly limit of St. Rose Avenue (Intersection Road) two hundred and fifty-seven and ninety-six one-hundredths feet (257.96') to a stake planted in the westerly limit of Farm Lot 145; thence northerly and following the last-mentioned limit, seven hundred and sixty-eight feet (768') to an iron bar planted in the southerly limit of Wyandotte Street; thence easterly and following the last-mentioned limit, two hundred and seventy-six and sixty-five one-hundredths feet (276.65') to the place of beginning; containing by admeasurement the sum of four and three-tenths acres (4.3 acs.), be the same more or less.

## (Vacant School Site)

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Riverside, in the County of Essex and Province of Ontario, being composed of part of Farm Lots 117 and 118, Concession 1, formerly in the Township of Sandwich East, now in the said Town, and which said parcel or tract may be more particularly described as follows: COMMENCING at an iron pin planted in the intersection of the southerly limit of Raymond Avenue with the easterly limit of Registered Plan No. 717; thence easterly and following the southerly limit of Raymond Avenue three hundred and thirty-one and thirteen one-hundredths feet (331.13') to an iron pin; thence southerly and parallel with the easterly limit of Registered Plan No. 717, being also the southerly production of a sixteen-foot (16') alley between the lots facing on Patrice Drive and the lots facing on Victor Drive, according to Registered Plan No. 1263, to the north of Raymond Avenue eight hundred feet (800') to a point in the westerly production of the northerly limit of Edgar Avenue, as shown on Registered Plan No. 939; thence westerly and following the westerly production of the northerly limit of Edgar Avenue, as shown on Registered Plan No. 939, three hundred and thirty-one and thirteen one-hundredths feet (331.13') to an iron pin planted in the easterly limit of Registered Plan No. 717; thence northerly and following the last-mentioned limit eight hundred feet (800') to the place of beginning; containing by admeasurement the sum of five and nine hundred and seventy-eight one-thousandths acres (5.978 acs.), be the same more or less. Save and Except that certain parcel or tract of land on the southerly limit of Farm Lots 117 and 118, Concession 1, in the said Town of Riverside, conveyed to The Corporation of the Town of Riverside for the purpose of relocating Edgar Avenue, which said parcel or tract may be more particularly described in Instrument No. 252683.



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## Fourth Session, Twenty-Seventh Legislature 14-15 Elizabeth II, 1966

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General .....	...	3/65	Jan. 23/65
amended .....	...	222/66	July 30/66
<b>V</b>			
<b>Venereal Diseases Prevention Act</b>			
General .....	560	...	...
<b>Vital Statistics Act</b>			
General .....	562	...	...
amended .....	...	233/61	July 15/61
amended .....	...	337/61	Oct. 28/61
amended .....	...	185/62	Aug. 4/62
amended .....	...	186/62	Aug. 4/62
amended .....	...	128/63	June 8/63
amended .....	...	209/63	Aug. 17/63
amended .....	...	324/63	Dec. 14/63
amended .....	...	4/64	Jan. 25/64
amended .....	...	312/65	Dec. 4/65
<b>Voters' Lists Act</b>			
General .....	563	...	...
amended .....	...	203/63	Aug. 3/63

	Regulation No.		Date of Gazette
	R.R.O. 1960	O. Reg.	
W			
Warble Fly Control Act			
General.....	564	.....	.....
<i>amended</i> .....	...	60/65	Mar. 20/65
Weed Control Act			
General.....	565	.....	.....
<i>amended</i> .....	...	170/63	July 6/63
<i>amended</i> .....	...	112/64	May 30/64
<i>amended</i> .....	...	288/64	Oct. 31/64
<i>amended</i> .....	...	61/65	Mar. 20/65
<i>amended</i> .....	...	185/65	July 31/65
Welfare Units Act			
General.....	566	.....	.....
Wilderness Areas Act			
Wilderness Areas.....	567	.....	.....
<i>amended</i> .....	...	268/61	Aug. 5/61
<i>amended</i> .....	...	35/62	Feb. 17/62
<i>amended</i> .....	...	89/64	May 2/64
<i>amended</i> .....	...	229/64	Sept. 12/64
<i>amended</i> .....	...	259/64	Oct. 17/64
<i>amended</i> .....	...	178/65	July 31/65
<i>amended</i> .....	...	30/66	Feb. 12/66
Wild Rice Harvesting Act			
General.....	568	.....	.....
Wolf and Bear Bounty Act			
Bounties.....	569	.....	.....
<i>amended</i> .....	...	265/61	Aug. 5/61
Wolves or Bears in Captivity.....	570	.....	.....
Woodlands Improvement Act, 1966			
General.....	...	244/66	Aug. 13/66
Workmen's Compensation Act			
General.....	571	.....	.....
<i>amended</i> .....	...	230/61	July 3/61
<i>amended</i> .....	...	379/61	Dec. 23/61
<i>amended</i> .....	...	126/62	June 9/62
<i>amended</i> .....	...	328/62	Dec. 22/62
<i>amended</i> .....	...	45/63	Mar. 9/63
<i>amended</i> .....	...	347/63	Jan. 4/64
<i>amended</i> .....	...	16/65	Jan. 30/65
<i>amended</i> .....	...	176/65	July 24/65
<i>amended</i> .....	...	219/65	Sept. 18/65
<i>amended</i> .....	...	299/65	Nov. 20/65
<i>amended</i> .....	...	335/65	Dec. 25/65
<i>amended</i> .....	...	340/65	Jan. 1/66
Pension Plan.....	...	115/66	April 30/66





## PART II

Showing the Regulations contained in Revised Regulations of Ontario, 1960 and subsequent Regulations filed to the 31st day of August, 1966, that have been revoked, are revoking only or have expired.

R.R.O. 1960 Regulations	Disposition	R.R.O. 1960 Regulations	Disposition
3	See S.O. 1961-62, c. 42, s. 20	136	See S.O. 1961-62, c. 93, s. 19
7	See S.O. 1965, c. 2	145	Rev. 232/66
10	Rev. 158/63	150	Rev. 50/66
11	Rev. 268/64	156	Rev. 110/66
12	Rev. 264/64	157	Rev. 174/66
13	Rev. 264/64	180	See S.O. 1961-62, c. 93, s. 19
14	Rev. 277/64		See S.O. 1964, c. 32, s. 1.
15	Rev. 270/64	181	Rev. 319/63
16	Rev. 270/64		Rev. 152/63
17	Rev. 279/64	186	Rev. 22/65
18	Rev. 272/64	187	Rev. 46/65
19	Rev. 272/64	188	Rev. 343/64
20	Rev. 273/64	189	Rev. 152/63
21	Rev. 278/64	190	Rev. 347/61
22	Rev. 278/64	191	Rev. 94/64
23	Rev. 274/64	192	Rev. 322/61
24	Rev. 274/64	193	Rev. 264/61
25	Rev. 276/64	194	Rev. 234/61
26	Rev. 276/64	195	Rev. 237/61
30	Rev. 26/64	196	Rev. 243/61
34	See S.O. 1960-61, c. 5, s. 17	197	Rev. 247/63
40	Rev. 111/62	198	Rev. 226/63
43	Rev. 338/65	201	Rev. 82/64
44	Rev. 339/65	203	Rev. 301/61
46	Rev. 133/61	204	Rev. 180/63
49	Rev. 297/64	210	Rev. 118/65
64	Rev. 384/61	211	Rev. 129/62
66	Rev. 221/66	220	Exp.
72	Rev. 283/63	221	Exp.
74	Rev. 332/65	225	Rev. 156/62
75	Rev. 63/66	228	Rev. 169/66
79	Rev. 258/61	235	Rev. 199/64
80	Rev. 123/64	241	Rev. 193/62
83	Rev. 143/61	247	Rev. 188/61
84	Rev. 142/61	257	Rev. 47/62
86	Rev. 175/64	263	Rev. 226/64
89	Rev. 20/66	264	Rev. 61/63
90	Rev. 28/63	269	Rev. 310/62
92	Rev. 19/66	272	Rev. 18/63
95	Rev. 280/63	275	Rev. 189/61
97	Rev. 142/61	278	Rev. 193/61
102	Rev. 199/65	280	Rev. 190/61
106	Rev. 137/62	281	Rev. 136/65
109	Rev. 100/63	284	Rev. 10/63
111	Rev. 260/65	285	Rev. 341/62
113	Rev. 293/61	288	Rev. 191/61
124	Rev. 377/61	289	Rev. 192/61
128	Rev. 4/66	290	Rev. 339/61
131	Rev. 156/61	293	Rev. 116/65
132	Rev. 334/64	296	Rev. 48/62
134	Rev. 196/64	300	Rev. 134/65
135	See S.O. 1961-62, c. 93, s. 19	301	Rev. 364/61
		306	
		311	

R.R.O. 1960 Regulations	Disposition	R.R.O. 1960 Regulations	Disposition
312	Rev. 226/64	561	See S.O. 1961-62, c. 42, s. 20
317	Rev. 115/65	572	Rev. 115/66
329	Rev. 62/62		
333	Rev. 137/65		
334	Rev. 220/64		
339	Rev. 194/61		
342	Rev. 255/61		
344	Rev. 195/61		
347	Rev. 220/64		
350	Rev. 183/65		
353	Rev. 204/64		
359	Rev. 169/62		
361	Rev. 309/61		
371	Rev. 135/65		
373	Rev. 199/61		
374	Rev. 182/65		
380	Rev. 49/62		
381	Rev. 200/61		
383	Rev. 315/65		
384	Rev. 220/64		
385	Rev. 220/64		
386	Rev. 220/64		
387	Rev. 220/64		
389	Rev. 23/66		
397	Rev. 220/66		
402	Rev. 77/63		
405	Rev. 35/66		
407	Rev. 187/65		
421	See S.O. 1965, c. 72, s. 27		
422	Rev. 44/66		
424	See S.O. 1965, c. 72, s. 27		
425	Rev. 303/65		
429	See S.O. 1965, c. 72, s. 27		
430	Rev. 107/66		
435	Rev. 343/61		
436	Rev. 283/61		
437	Rev. 7/65		
439	Rev. 313/64		
448	Rev. 21/63		
453	Rev. 288/63		
454	Rev. 211/63		
455	Rev. 211/63		
456	Rev. 205/66		
460	Rev. 324/64		
462	Rev. 99/65		
467	Rev. 99/63		
472	Rev. 212/61		
474	Rev. 166/63		
476	Rev. 251/62		
479	Rev. 5/64		
489	Rev. 306/64		
490	Rev. 304/63		
495	Rev. 331/65		
497	Rev. 343/62		
511	Rev. 258/63		
519	Rev. 142/65		
520	Rev. 110/63		
521	Rev. 308/63		
525	Rev. 220/61		
526	Rev. 190/62		
527	Rev. 222/61		
538	Rev. 111/64		
540	Rev. 26/65		
547	See S.O. 1966, c. 145, s. 1		
555	Rev. 282/63		
556	Rev. 200/65		
		Ontario Regulations	Disposition
		1/61 to 129A/61	Rev. S.O. 1959, c. 90, s. 5 (2)
		134/61	Rev. 297/64
		136/61	Rev. 253/64
		137/61	Rev. 339/62
		139/61	Rev. 322/64
		140/61	Rev. 327/63
		143/61	Rev. 37/62
		144/61	Rev. 110/65
		147/61	Rev. 199/65
		149/61	Rev. 260/65
		155/61	Rev. 41/65
		156/61	Rev. 325/64
		157/61	Rev. 334/64
		158/61	See S.O. 1961-62, c. 93, s. 19
		165/61	Rev. 349/61
		170/61	Revkg.
		171/61	Rev. 82/64
		174/61	Rev. 301/61
		179/61	Rev. 41/62
		207/61	Rev. 387/61
		210/61	Rev. 21/63
		217/61	Rev. 305/63
		219/61	Rev. 110/63
		220/61	Rev. 14/65
		221/61	Rev. 190/62
		222/61	Rev. 190/62
		226/61	See S.O. 1961-62, c. 124, s. 1
		227/61	Rev. 9/62
		234/61	Rev. 133/62
		235/61	Exp.
		236/61	Exp.
		237/61	Rev. 176/62
		238/61	Rev. 289/63
		242/61	Rev. 133/62
		243/61	Rev. 133/62
		245/61	Rev. 149/62
		246/61	Rev. 211/63
		247/61	Rev. 190/62
		249/61	Rev. 37/62
		250/61	Rev. 190/62
		251/61	Rev. 190/62
		253/61	Rev. 211/63
		255/61	Rev. 265/64
		256/61	Rev. 110/63
		258/61	Rev. 305/62
		262/61	Rev. 176/62
		264/61	Rev. 229/63
		267/61	Rev. 247/63
		269/61	Rev. 305/63
		270/61	Rev. 187/65
		271/61	Rev. 133/62

Ontario Regulations	Disposition	Ontario Regulations	Disposition
274/61	Rev. 235/65	31/62	Rev. 61/64
278/61	Rev. 266/62	32/62	Rev. 5/65
279/61	Exp.	36/62	Rev. 247/63
280/61	Rev. 133/62	37/62	Rev. 32/63
281/61	Rev. 355/61	40/62	Rev. 194/64
282/61	Rev. 301/61	43/62	Rev. 176/62
283/61	Revkg.	49/62	Rev. 224/64
286/61	Revkg.	51/62	Rev. 182/64
287/61	Rev. 190/62	53/62	Rev. 260/65
288/61	Rev. 190/62	57/62	Rev. 305/63
289/61	Rev. 190/62	59/62	See S.O. 1965, c. 72, s. 27
290/61	See S.O. 1965, c. 72, s. 27	61/62	Rev. 297/64
292/61	Rev. 119/62	62/62	Rev. 170/65
294/61	Rev. 39/64	67/62	Rev. 19/66
295/61	See S.O. 1965, c. 72, s. 27	72/62	Rev. 196/64
299/61	Exp.	73/62	Rev. 309/64
300/61	Rev. 133/62	76/62	Rev. 151/64
302/61	Exp.	79/62	Rev. 26/65
305/61	Rev. 22/65	83/62	Rev. 325/64
306/61	Rev. 229/63	87/62	Rev. 82/64
308/61	Rev. 190/62	91/62	Rev. 13/63
309/61	Rev. 29/66	92/62	Exp.
311/61	Rev. 305/63	94/62	Rev. 110/63
312/61	Revkg.	95/62	Rev. 313/62
314/61	Rev. 59/65	96/62	Rev. 294/62
319/61	Rev. 325/64	101/62	Rev. 305/63
320/61	Rev. 254/62	102/62	Rev. 211/63
321/61	Rev. 259/62	104/62	Exp.
322/61	Rev. 286/63	105/62	Rev. 127/63
324/61	Rev. 2/63	110/62	Rev. 116/63
326/61	Rev. 68/62	113/62	Rev. 110/63
327/61	Rev. 47/63	114/62	Rev. 230/66
333/61	Rev. 141/66	120/62	Rev. 339/65
334/61	Rev. 218/62	127/62	Rev. 107/63
343/61	Rev. 125/64	131/62	Rev. 82/64
344/61	Rev. 276/63	132/62	Rev. 229/63
345/61	Rev. 226/63	133/62	Rev. 189/63
347/61	Revkg.	134/62	Rev. 189/63
351/61	Exp.	138/62	Rev. 199/65
352/61	Rev. 284/63	142/62	Rev. 132/64
355/61	Rev. 229/63	154/62	Rev. 187/65
365/61	Rev. 141/66	156/62	Revkg.
367/61	Rev. 339/65	160/62	Rev. 190/62
372/61	Rev. 25/65	161/62	Exp.
375/61	Rev. 311/64	163/62	Exp.
376/61	Rev. 248/65	165/62	Rev. 189/63
378/61	Rev. 283/63	166/62	Rev. 128/65
381/61	Exp.	171/62	Rev. 247/64
382/61	Rev. 333/62	173/62	Rev. 170/63
383/61	Rev. 117/62	176/62	Rev. 249/63
385/61	Rev. 156/62	182/62	Rev. 274/64
388/61	Exp.	191/62	Rev. 160/65
		198/62	Rev. 339/65
		200/62	Rev. 304/63
		201/62	Rev. 260/65
4/62	Rev. 182/64	204/62	Revkg.
5/62	Rev. 190/62	210/62	Rev. 199/65
6/62	Rev. 196/64	211/62	Rev. 102/66
7/62	Rev. 110/63	214/62	Rev. 236/63
9/62	See S.O. 1964, c. 103, s. 1	215/62	Rev. 240/63
		218/62	Revkg.
11/62	Exp.	220/62	Rev. 326/64
19/62	Rev. 226/63	221/62	Rev. 325/64
20/62	Rev. 82/64	222/62	Rev. 162/63
24/62	Rev. 325/64	223/62	Rev. 110/63
25/62	Rev. 22/65	229/62	Rev. 184/65
30/62	Rev. 13/63	230/62	Rev. 246/64

Ontario Regulations	Disposition	Ontario Regulations	Disposition
233/62	Rev. 189/63	83/63	Rev. 71/65
234/62	Exp.	84/63	Rev. 24/65
235/62	Rev. 189/63	85/63	Exp.
238/62	Rev. 230/66	87/63	Rev. 230/66
239/62	Rev. 230/66	88/63	Rev. 182/64
242/62	Rev. 249/63	94/63	Rev. 306/63
243/62	Rev. 41/63	97/63	Exp.
250/62	Rev. 18/65	98/63	Exp.
254/62	Rev. 211/65	101/63	Rev. 305/63
256/62	Rev. 286/63	125/63	Rev. 53/64
257/62	Revkg.	126/63	Rev. 226/63
258/62	Rev. 162/63	127/63	Rev. 82/64
259/62	Rev. 285/63	129/63	Rev. 5/64
260/62	Rev. 280/63	131/63	Rev. 26/65
268/62	Rev. 305/63	133/63	Rev. 6/65
269/62	Rev. 258/63	134/63	Rev. 38/66
272/62	Rev. 189/63	135/63	Rev. 6/65
274/62	Rev. 322/62	136/63	Rev. 7/65
279/62	Rev. 305/63	137/63	Revkg.
283/62	Rev. 130/66	138/63	Rev. 152/64
285/62	Rev. 284/63	141/63	Rev. 184/64
288/62	Rev. 338/65	143/63	Exp.
289/62	Rev. 27/63	146/63	Rev. 182/64
290/62	Rev. 110/63	147/63	Rev. 107/66
291/62	Revkg.	152/63	Revkg.
292/62	Rev. 189/63	157/63	Rev. 267/64
295/62	Rev. 249/63	158/63	Revkg.
298/62	Rev. 309/64	159/63	Rev. 267/64
299/62	Exp.	160/63	Rev. 272/64
300/62	Rev. 82/64	162/63	Revkg.
301/62	Revkg.	164/63	Rev. 13/65
305/62	Rev. 302/64	165/63	Rev. 16/64
309/62	Rev. 305/63	177/63	Rev. 172/66
315/62	Rev. 110/63	180/63	Revkg.
327/62	Rev. 297/64	181/63	Rev. 316/64
334/62	Rev. 311/63	187/63	Rev. 182/64
336/62	Rev. 342/65	189/63	Rev. 139/65
340/62	Rev. 323/64	195/63	Rev. 177/64
		199/63	Exp.
2/63	Rev. 305/63	202/63	Rev. 28/66
8/63	Rev. 350/63	210/63	Rev. 235/64
9/63	Revkg.	214/63	Exp.
13/63	Rev. 11/64	217/63	Rev. 174/66
19/63	Rev. 110/63	218/63	Rev. 50/66
24/63	Rev. 326/64	224/63	Rev. 308/63
26/63	Rev. 305/63	238/63	Rev. 110/66
27/63	Rev. 125/64	244/63	Rev. 279/64
32/63	Rev. 16/64	246/63	Rev. 139/65
35/63	Rev. 254/65	249/63	Revkg.
36/63	Rev. 305/63	251/63	Rev. 89/64
38/63	Rev. 187/65	254/63	Rev. 35/66
39/63	Rev. 289/63	255/63	Rev. 152/64
40/63	Rev. 11/64	258/63	Rev. 283/64
42/63	Rev. 121/64	261/63	See S.O. 1965, c. 72, s. 27
46/63	Rev. 339/65	267/63	Rev. 177/64
48/63	Rev. 25/65	273/63	Rev. 177/64
56/63	Rev. 110/63	276/63	Rev. 99/65
58/63	Rev. 149/64	278/63	Rev. 297/64
61/63	Rev. 221/65	289/63	Rev. 111/64
64/63	Rev. 260/65	290/63	Exp.
65/63	Revkg.	293/63	Exp.
66/63	Rev. 46/65	297/63	Rev. 177/64
68/63	Rev. 305/63	298/63	Rev. 139/65
74/63	Rev. 244/64	299/63	Rev. 139/65
79/63	Rev. 199/65	313/63	Rev. 24/65
82/63	Rev. 46/65	314/63	Rev. 260/65
		316/63	Exp.



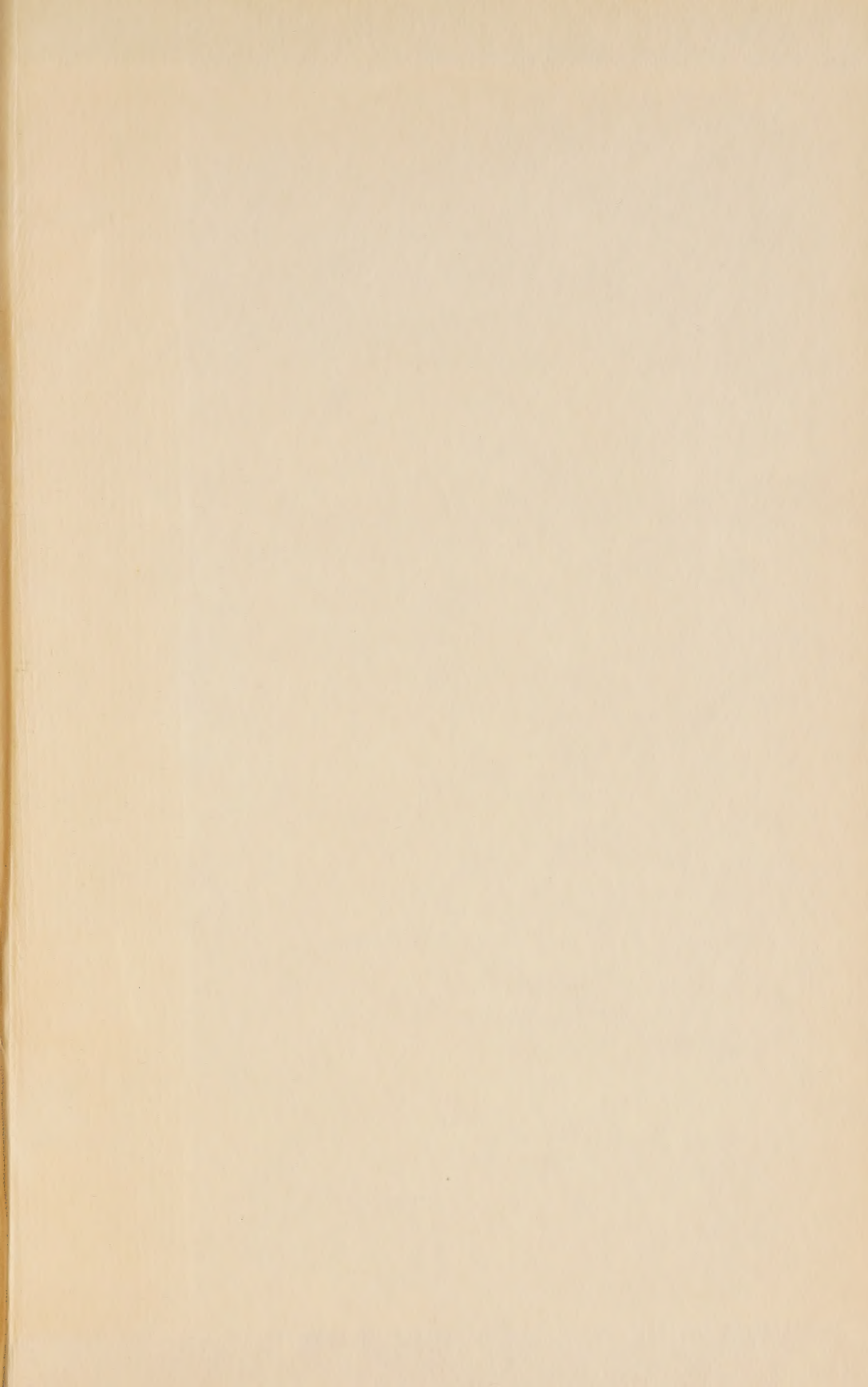
Ontario Regulations	Disposition	Ontario Regulations	Disposition
317/63	Rev. 301/64	211/64	Rev. 278/65
318/63	Rev. 22/64	218/64	Rev. 8/65
326/63	Rev. 14/65	220/64	Revkg.
332/63	Rev. 197/64	222/64	Rev. 262/64
344/63	Rev. 152/64	230/64	Rev. 25/65
349/63	Rev. 325/64	245/64	Rev. 260/65
350/63	Rev. 334/64	247/64	Rev. 102/66
		248/64	Rev. 43/65
		255/64	Rev. 7/65
		256/64	Rev. 8/65
6/64	Rev. 187/64	257/64	Rev. 9/65
10/64	Rev. 182/64	258/64	Rev. 6/65
11/64	Rev. 19/65	271/64	Rev. 72/66
16/64	Rev. 43/65	277/64	Revkg.
17/64	Exp.	286/64	Rev. 159/65
21/64	Rev. 297/65	290/64	Rev. 139/65
25/64	See S.O. 1965, c. 72, s. 27	298/64	Exp.
27/64	Rev. 266/64	300/64	Rev. 297/65
28/64	Rev. 266/64	301/64	Rev. 314/65
32/64	Rev. 35/66	307/64	Exp.
33/64	Rev. 303/65	318/64	Rev. 260/65
39/64	Rev. 309/64	321/64	Rev. 151/65
42/64	Rev. 107/66	327/64	Rev. 297/65
46/64	Rev. 139/65	332/64	Exp.
50/64	See S.O. 1964, c. 17, s. 1	333/64	Rev. 166/66
62/64	Rev. 175/65	346/64	Rev. 61/66
67/64	Rev. 302/64		
78/64	Exp.		
79/64	Exp.	6/65	Rev. 39/66
86/64	Rev. 320/65	7/65	Rev. 39/66
95/64	Rev. 6/65	8/65	Rev. 39/66
96/64	Rev. 6/65	9/65	Rev. 40/66
97/64	Rev. 7/65	15/65	Rev. 92/66
98/64	Rev. 7/65	19/65	Rev. 6/66
99/64	Rev. 38/66	42/65	Rev. 187/65
100/64	Rev. 8/65	43/65	Rev. 24/66
101/64	Rev. 8/65	44/65	Rev. 260/65
102/64	Rev. 38/66	51/65	Rev. 213/65
103/64	Rev. 7/65	55/65	Rev. 188/65
111/64	Revkg.	57/65	Exp.
124/64	Rev. 213/65	68/65	Rev. 239/65
125/64	See S.O. 1965, c. 72, s. 27	78/65	Rev. 199/65
126/64	Rev. 38/66	107/65	Rev. 260/65
127/64	Rev. 7/65	114/65	Rev. 260/65
128/64	Rev. 7/65	119/65	Rev. 110/66
129/64	Rev. 200/65	150/65	Rev. 213/65
130/64	Rev. 28/66	151/65	Rev. 188/65
133/64	Rev. 260/65	158/65	Rev. 9/66
139/64	Rev. 176/64	159/65	Rev. 253/66
143/64	Rev. 7/65	168/65	Rev. 253/65
144/64	Rev. 8/65	181/65	Rev. 253/66
145/64	Rev. 7/65	199/65	Rev. 199/66
146/64	Rev. 6/65	240/65	Exp.
147/64	Rev. 6/65	282/65	Rev. 44/66
148/64	Rev. 8/65	284/65	Rev. 303/65
149/64	Rev. 61/66	303/65	Revkg.
152/64	Rev. 158/65	311/65	Rev. 199/66
153/64	Rev. 163/65	344/65	Rev. 44/66
172/64	Rev. 309/64	351/65	Rev. 24/66
177/64	Rev. 159/65		
182/64	Rev. 240/66		
187/64	Rev. 217/65	1/66	Rev. 145/66
189/64	Rev. 279/65	45/66	Rev. 85/66
192/64	Rev. 158/65	67/66	Rev. 155/66
201/64	Rev. 188/65	80/66	Rev. 171/66
206/64	Rev. 139/65	161/66	Rev. 194/66













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